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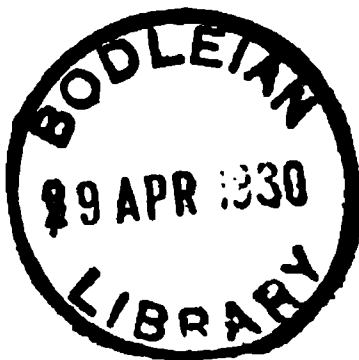
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DOCUMENTS
OF THE
SENATE
OF THE
STATE OF NEW-YORK,
FIFTY-EIGHTH SESSION,
1835.

VOLUME II.
FROM No. 29 TO No. 89 INCLUSIVE.

ALBANY:
PRINTED BY E. CROSWELL, PRINTER TO THE STATE.
.....
1835.

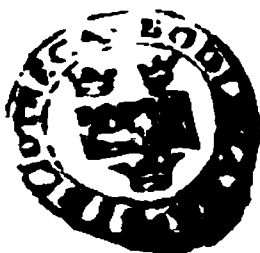


STATE OF NEW-YORK.

No. 29.

IN SENATE,

January 30, 1835.



REPORT

Of the committee on Indian affairs on the petition of William Page.

Mr. Kemble, from the committee on Indian affairs, to whom was referred the petition of William Page, submitted the following

REPORT:

The petitioner represents, that early in the summer of 1833, several of the chiefs of the Orchard party of the Oneida tribe of Indians, came to him and informed him that said party of Indians were contemplating a removal to Green Bay; that several meetings had been held by said party to counsel on the expediency of their migration; that a delegation had been selected to visit Green Bay, ascertain the character of the country to which they proposed to emigrate, and to return and make known to the said party of Indians the result of their discoveries, and their opinion respecting Green Bay as a place of residence for said party and tribe.

The chiefs were authorized by the Orchard party of Indians to borrow money to defray the expenses of their tour of exploration. To obtain money for that purpose, was the object of the chiefs in their call upon the petitioner. They informed him of the design of their party, and promised, in case he would loan to them the sums of money necessary to pay the expenses incident to their migration, to secure to him, in their treaty with the State of New-York, the pre-emption right to a certain quantity of their land. As the amount of money which might be required could not, at that time

[Senate No. 29.]

be fixed, the chiefs agreed with the petitioner to secure to him the pre-emption right to one hundred acres of land, for and in consideration of the sum of one hundred and fifty dollars, and in that proportion for whatever sums of money the petitioner should furnish them for the purpose aforementioned.

The petitioner loaned to the chiefs, or committee appointed to visit Green Bay, the sum of one hundred and fifty dollars. On the return of said committee from Green Bay, a meeting of the Orchard party of Indians was held, and the opinion of the delegation who had visited Green Bay, was communicated in general council. The delegation recommended migration, and urged the party to come to a resolution to sell their lands to the State, and take up their future residence in Green Bay. The party, however, did not at that meeting give their consent to such a proposition.

Soon after the return of the delegation from their journey beyond the lakes, a meeting of the "Six Nations" was held at or near Buffalo. To this meeting, the Orchard party of the Oneida Indians sent a deputation, and the petitioner, at the request of the chiefs, loaned that deputation the sum of forty dollars.

Subsequent to the meeting of the Six Nations, the Orchard party, in general council, concluded to make a treaty with the State, dispose of their lands and remove to Green Bay. To effect these purposes, a large number of the party resolved to go to Albany, to negotiate with the officers appointed on the part of the State to conclude a treaty with them, and to make arrangements for their final departure, and their journey westward. In preparing for this visit to Albany, and defraying its expenses, the Indians needed money, and they borrowed of the petitioner the further sum of one hundred and thirty-one dollars.

In their treaty with the Commissioners of the Land-Office, the Indians desired to secure to the petitioner a pre-emption right to a quantity of their land, in conformity with their agreement with him. But they were informed that such a reservation in behalf of the petitioner would be illegal, and could not be recognized by the said Commissioners.

The chiefs of the Orchard party, being unable to fulfil their contract with Mr. Page, for the reason above given, applied to the Governor, through Jacob Cornelius, their principal chief, for an

extra allowance of money, to enable them to repay Mr. Page; and from the amount of money paid to them by order of the Governor, they did pay to the petitioner the sum of one hundred and fifty dollars, that being, as they alleged, all they could spare, the residue being scarcely sufficient to defray the expenses of their migration. One hundred and seventy-one dollars, as the petitioner represents, now remains due him.

Such are the facts in this case, as laid before the committee.—Are these facts corroborated? In the opinion of the committee they are, and by the testimony which follows:

The petitioner is an acting magistrate in the town of Vernon, in the county of Oneida. Two of the members of the House of Assembly from that county have appeared before the committee, and both represent the petitioner to be a man of good character and of reputed integrity. Thus fortified as a witness in the premises, the petitioner has made an affidavit of the truth of his representations. He is corroborated by the testimony of several individuals of high respectability.

Accompanying the petition are the certificates of Sands Higinbotham and Stephen S. Wilson. These certificates show that the Indians admitted their indebtedness to the petitioner, and their promise to secure to him a pre-emption title to a lot of their land. Mr. Wilson testifies as to the sums of one hundred and fifty dollars, and of forty dollars herein before mentioned. Mr. Higinbotham testifies that "Jacob Cornelius, the principal chief of the Orchard party of Oneida Indians told him a few days before the treaty," which was made by the Indians in February, 1834, that "he intended Esq. Page should have a location: that the nation were under obligations to him: that he had let them have money at different times, the amount (Mr. Higinbotham says he) does not precisely remember; except the sum to defray the expense of their exploring party to Green Bay, which was one hundred and fifty dollars."

In addition to these certificates the committee have received the oral testimony of Mr. Van Rensselaer, assistant Surveyor-General; of colonel Denniston, who has for many years acted as the agent of the government in many of its negotiations and dealings with the Indians; and of Mr. Davis, the missionary, now residing among them.

Mr. Van Rensselaer recollects that the petitioner, with one or more of the chiefs of the Orchard party of the Oneida Indians, were in the office of the Surveyor-General, in the month of February last, the time when that party of Indians concluded their treaty with the Commissioners of the Land-Office: that the Indians then informed the Surveyor-General that they were indebted to the petitioner for money borrowed of him, and requested that he might be guaranteed a pre-emption right to a lot of land, in the treaty then about to be formed. Col. Denniston was present at the formation of the treaty in February last, and went with Jacob Cornelius and the petitioner to the Governor to solicit his assent to the contract which Cornelius alleged, in the presence of all the parties, had been entered into between the chiefs of the Orchard party and the petitioner. Mr. Davis testified that the chiefs informed him that they owed the petitioner between three and four hundred dollars, and that they had agreed to secure to him, by treaty, a pre-emption right to a location in their lands. The Governor also, of whom inquiry has been made, recollects the facts that one or more of the chiefs, together with Col. Denniston and the petitioner, called upon him and asked his consent to fulfil the contract with the petitioner, which the chief or chiefs then and there said was to secure to the petitioner, in the treaty, the pre-emption right to a location in the lands about to be sold and conveyed to the State.

Assuming that the facts set forth by the petitioner are true, the question arises, ought the prayer of the petitioner to be granted: or, in other words, can the State, upon the recognized principles of law or equity, be called upon to affirm the contract entered into between the petitioner and the Orchard party of the Oneida tribe of Indians?

The government of this State has for many years claimed and exercised a jurisdiction over all the tribes, nations or parties of Indians residing within its geographical boundaries. Nor has it stopped with jurisdiction only, for it has assumed a special guardianship over their property and persons. By an act of 1794, "trustees were appointed for the Indians residing within this State, for each and every tribe of them," with power to make agreements and arrangements with them, and providing that "every grant or conveyance to be obtained from any of the Indians should be to the use of the people of this State."

By subsequent statutes, persons have been prohibited from selling spirituous liquors to the Indians; suits are declared not maintainable against them, and "all purchase of lands of Indians, *without the consent of the State Legislature,*" are declared void, and in some cases a public offence. Many of these provisions are incorporated in the Revised Statutes. Section 12, title 1, part 2, chapter 1, provides that "no Indians residing within this State can make any contract for or concerning the sale of any lands within this State, or in any manner give, sell, devise or otherwise dispose of any such lands, or any interest therein, without the consent of the Legislature."

There is nothing in these provisions, or in any other laws of this State, within the knowledge of the committee, that precludes the Indians from selling their lands "with the consent of the Legislature." On the contrary, it seems to be a necessary inference that they may make contracts for the sale of their lands, or their interest therein, which would be valid if sanctioned by the Legislature. A contract of this character was contemplated by the petitioner and the chiefs of the Orchard party, in the case before us. It is admitted that the parties were in error respecting the authority whose approbation must be obtained, for they acted upon the supposition that the Commissioners of the Land-Office, who were authorized to treat with the Indians for the purchase of their lands, were also empowered to stamp with validity any bona fide contract which they desired to execute. That power they were informed, rested in the Legislature.

It certainly is a proper subject of inquiry, whether it comports with the principles of justice, for the State to exercise a guardianship over the Indians to such an extent as to prevent them from paying their just debts, especially when the payment of such debts cannot interfere with the rights of individuals or the State itself. To deny the prayer of the petitioner will be, in effect, procluding him from recovering what is justly due to him; and this injustice, it will be perceived, has been wrought by the direct operation of the laws of the State, assuming guardianship over the property of the Indians. In this view of the case, it may be made to appear that the prayer of the petitioner ought, upon the common principles of justice, to be granted.

But if the claim of the petitioner upon its justice, shall not be regarded as well founded, there can be few, if any, doubts that it is well grounded in equity.

If it was once the policy of the government of this State to make provision for the improvement and welfare of the Indians within its boundaries, a different object seems to have been in view in modern legislation relative to them. That object has been their migration. In order to induce them to dispose of their possessions, many facilities have been extended to them by acts of legislation. If it was proper for the State to lend them means to produce the desired result, it is difficult to discover any wrong in the act itself, if an individual should accommodate them for precisely the same purpose.

The loan by the petitioner, for which he asks remuneration, was made to the Indians to aid them in maturing their designs of leaving the State forever behind them. Some of the chiefs, more enlightened than the rest, were of opinion that it would promote the interest and well-being of their tribes to exchange their residence to a region of country where the breezes of civilization will not pass too freely and so fatally through them. But it was no easy matter to unrobe the mass of the party of their attachments to their birth place, and their prejudices against all other places, with which, like their blankets, they had enwrapped themselves. Something more than talk was necessary. Nor could the few who desired to migrate, do so and leave their brethren behind; for the Governor is only authorized to furnish the Indians with funds to enable them to migrate, in cases "*where a sufficient number*" of the Indians are prepared for that purpose, "to render it proper, in his opinion, that they should thus migrate."

It was in consideration of this fact, that the chiefs found it necessary to influence many of their brethren and tribe to engage in the enterprize. The deputations to Green Bay, and to the Six Nations, were the causes which produced in their consequences, a willingness on the part of a large number of the Indians, to sell their lands to the State, and remove out of it. It was the aid which the petitioner afforded to the Indians which, as he affirms, enabled them to come to such a determination. Mr. Higginbotham, in his certificate, gives it as his "opinion, that without assistance from some person, the Indians would not have emigrated very soon, and probably not for a long time to come."

The migration of that body of Indians who borrowed money of the petitioner, has been productive of pecuniary advantage to this State. By way of the treaty made with them in February last, the State took possession of eight hundred and ninety-nine acres of their land, for which the treasury was charged with \$12,346.84. This land has since been sold for the sum of \$14,508. Thus, in addition to the advantage which may be supposed to accrue to the State by exchanging its Indian landholders for those who have breathed the atmosphere of civilization, there has also been derived the sum of \$2,661, by reason of the negotiations and loans which constitute the basis of the claim preferred by the petitioner. It seems to the committee that the claim, therefore, comes within the clearest rule of equity, and deserves the recognition and approbation of the Legislature.

The committee have no particular veneration for legislative precedents; yet they are not insensible to their influence. If such examples do not deserve to be followed, an absence of them is not unfrequently an argument against a measure proposed for legislative adoption. There are very many instances upon record, in which the Legislature of this State has sanctioned dealings with the Indians, of a character similar to those represented by the petitioner; and it appears to have been a common practice to legalize such transactions by granting letters patent, or pre-emption rights to such claimants. The case of John Gregg, is a strong case in this point of view, and it is one of recent date, the law for his relief having passed in 1831.

Believing that the petitioner is justly and equitably entitled to the favorable consideration of the Legislature, the committee have instructed their chairman to introduce a bill.

STATE OF NEW-YORK.

No. 30.

IN SENATE,

January 31, 1835.

PETITION

Of delegates from the southern tier of counties to a convention held at Bath, in favor of a rail-road from Lake Erie to the city of New-York.

To the Honorable the Legislature of the State of New-York.

The petition of the subscribers, delegates from the southern counties in said State, at a convention held in Bath, Steuben county, on the 17th day of December, 1834,

RESPECTFULLY SHEWETH:

That their hopes so long deferred of being favored with the facilities of travel and transport on a route through the southern counties to the commercial metropolis of the State, are greatly encouraged by the recent survey provided for by your honorable body, for a rail-road from Lake Erie to the city of New-York.

That they are informed that the line surveyed presents no important physical obstacles, and that the grade throughout will permit the advantageous use of locomotive engines, with no stationary power excepting on the slope near the shore of Lake Erie.

They are assured, therefore, that the work can be accomplished without extravagant expenditures; and they believe that, with the aid of your honorable body, extending to the southern counties advantages in some degree corresponding with those which have been conferred, by the funds and credit of the State and the wise and liberal policy of the honorable Legislature at former periods,

[Senate No. 30.]

in the more northerly counties, this undertaking may be speedily accomplished by the company which has been incorporated and organized for that purpose.

Your petitioners, therefore, believing that they may enjoy the inestimable benefits of such a medium of travel and transport, should your honorable body in this way extend to the southern counties such reasonable aid as in view of their extent, their position, and their interests and claims in relation to the rest of the State, shall be deemed suitable, appeal to the representatives and authorities of the commonwealth with confidence and hope, as well as with earnest solicitude.

They feel that their present and future welfare depends essentially on the accomplishment of this work, and that they are bound, by every consideration of duty to the community of which they form a part, to themselves, and to their posterity, to urge their case on the attention of your honorable body, and to do their utmost to promote the object which they so anxiously desire.

They deem the proposed work to be of vast importance to the State, to its growth, prosperity and strength; to its reputation; to the development of its resources; to the support of its commercial capital; to the preservation and enlargement of its trade and intercourse with the lakes and western States; to its triumph over the obstacles of a northern climate, and its successful rivalry with competition from other quarters.

They believe it indispensable to the existing and permanent interests of the southern counties, it being the only practicable and adequate kind of improvement, as a medium of business and intercourse, which the nature of the counties will permit. It is their opinion that the execution of this work will do more to increase the population, wealth and resources of these counties, and more for their moral and social institutions, advantages and happiness, in ten years, than can otherwise be effected in a hundred.

These counties, though not rivals of those north of them in the culture of wheat, are well adapted to other products of agriculture; are blessed with a salubrious climate, and are capable of sustaining a dense population. They contain an immense body of uncultivated land, which now is, and without the proposed work will continue to be, of little value; whereas, with this avenue to

market, these lands would be taken up for cultivation; the lumber with which they abound would be rendered valuable, and all their products yield a rich return to the hand of industry.

Your petitioners are animated by the cheering anticipation that this work would raise the southern counties to a degree of prosperity approaching to that of those adjacent to their northern border, which is so much admired and celebrated both at home and abroad, as having sprung like a new creation from the bounty and wisdom of the State, in the construction of the Erie canal.

Your petitioners are deeply impressed with the conviction that if the merits and claims of this undertaking are duly investigated and considered, it will commend itself to the confidence and favor of your honorable body; that a just estimate of its tendency and relations will show that it can injure no existing public interests; that it can never be superseded by any other public work; that every consideration, both of a public and a local nature, urges its immediate execution; that more than half of the population of the State are directly interested in its execution, either as a winter or summer route; that the nature of the work, and the mode of its use and occupation, render it suitable to be performed and owned by a chartered company, while an interest in it on the part of the State is necessary, on account of the magnitude of the undertaking, the effect of such interest on the confidence of individual subscribers, and its bearing on the future security and harmony of the interests mutually of the citizens and the stockholders.

With these views, desiring to render all the assistance in their power, individually and collectively, to the company which has been incorporated for the construction of this work, your petitioners respectfully pray your honorable body to aid the object by a subscription to the stock, or a loan of the credit of the State to the company, to the amount of two million of dollars, under such regulations as shall be deemed appropriate.

And, as in duty bound, &c.

STEPHEN B. LEONARD,

President.

ISRAEL DAY,

ALPHEUS HAWLEY,

Vice-Presidents.

H. W. ROGERS,

ANSON GIBBS,

Secretaries.

DELEGATES.

Walter Smith,
Walter Chester,
James Stratton,
Samuel Harvey,
Timothy P. Guy,
C. S. Shepard,
Daniel Hartwell,
Ira Smith,
Jonathan Nobles,
John B. Cooley,
George Stevens,
John G. Collins,
Alexander S. Diven,
Jesse Angel,
Richard Charles,
Robert Haight,
William P. Angel,
David Ward,
John Arnot,
Henry McCormick,
James Manderson,
George McClure,
William J. Neally,
William D. Knox,
Chauncey Hoffman,
James Baldwin,
Daniel Gorton,
David Edwards,
Stephen Towsley,
Anson Cook,
William Card,
Isaac Santee,
Andrew B. Dickinson,
William Stevens,

Samuel Patridge,
Levi J. Cooley,
Francis Smith,
William W. McCay,
William S. Hubbell,
William Kernan,
Henry A. Townsend,
Ira C. Clark,
William Woods,
David McMaster,
Joseph G. Masten,
William Goff,
Ira Davenport,
John R. Gansevoort,
John E. Evans,
Levi Davis,
Henry S. Williams,
John Magee,
George C. Edwards,
Henry Switzer,
John W. Whiting,
Paul C. Cook,
Aaron W. Beach,
Seth Wheeler,
Johnson N. Reynolds,
Burrage Rice,
William Baker,
Peter Disbrow,
John Dow,
William H. Lybolt,
Mathew McDowell,
Andrew G. Chatfield,
Theodorus Titus,
James McBurney.

STATE OF NEW-YORK.

No. 31.

IN SENATE,

February 2, 1835.

REPORT

Of the Canal Board on the memorial of the Mohawk and Hudson rail-road company.

**CANAL ROOM, CONTROLLER'S OFFICE, }
Albany, January 30, 1835. }**

TO THE SENATE.

The memorial of the Mohawk and Hudson rail-road company having been referred, by the Senate, to the Canal Board, the following report thereon is respectfully submitted:

The memorialists represent that they find great inconvenience in the present mode of transshipment to and from the canal at the city of Schenectady, and are desirous of obviating the same by the construction of a basin between the Erie canal and their rail-road, near its termination in the city of Schenectady: That they had submitted the plan of the proposed basin to the acting Commissioners, and they and the Canal Board declined granting the request, leaving the memorialists to present their application to the Legislature.

The memorialists also represent, that by the charter granted them by the Legislature in 1826, they are authorized to transport over said road, property as well as persons, with a proviso limiting the cost of transporting property to an amount not exceeding the charges at that time received for like transportation on the Erie canal: And that in constructing the road to answer the pur-

poses contemplated by the charter, they have expended nearly one million of dollars: And that at the last session of the Legislature, a virtual increase of capital was given of \$250,000, in order to enable them to avail themselves of that portion of their chartered rights which authorizes the company to transport property upon the rail-road.

It is urged in the memorial, "that the facilities afforded by the basin and the rail-road, would greatly expedite the intercourse between the Hudson and the western country, saving one-fifth of the time usually consumed in making the voyage between Albany and Buffalo, and thereby increasing the annual amount of the transportation, and the canal revenues derived therefrom."

In 1826, when the charter for the Mohawk and Hudson rail-road company was granted, the privilege of transporting property upon this road was expressly given, although it must have been obvious to the members of the Legislature, that the property passing over the road would, to a great extent, be withdrawn from the trade of the canals.

The company having obtained from a former Legislature, the right of transporting property upon the rail-road, the question is narrowed down to the single point whether this company, with the right to carry merchandize to, and bring produce from Schenectady, shall be permitted at the expense of the corporation, to construct a basin to facilitate their own operations, and relieve the canal from the crowd of boats at the point where goods are transhipped from the rail-road?

The Canal Commissioners are authorized by section 177. p. 248, 1 Revised Statutes, to allow basins and watering places along the line of the canal to be constructed, subject, however, at all times to their control.

The application for a basin by the Hudson and Mohawk rail-road company, for the avowed purpose of facilitating the transfer of property from the canal to the rail-road, whereby the canal revenues would be deprived of the toll upon the articles thus transferred, upon thirty miles of the Erie canal, presented a question of so much importance to the interests of the State, that the Commissioners, after consulting with the other members of the Canal Board, declined granting the request, from a conviction

that a measure of this importance ought not to be adopted by the Commissioners without the distinct sanction of the Legislature.

The construction of a spacious basin at Scheectady where the canal is often crowded with boats, would essentially contribute to the convenience of those who navigate the canal, although it might to some extent increase the quantity of goods to be withdrawn from the canal and carried over the rail-road.

The collector of canal tolls at Schenectady during the last season of navigation, kept an account of the property taken from the canal to the rail-road, and also of the merchandize and other property, which passed over the rail-road from Albany to Schenectady, and which was cleared at the collector's office for the west.

It appears from the statement of the collector, that the articles carried from Albany to Schenectady, on the rail-road, amounted to 1,891 tons, of which 1,412 tons were merchandize.

The following articles arrived at Schenectady, on the Erie canal, and passed over the rail-road, in the year 1834, viz:

Domestic spirits,.....	74,414	gallons.
Staves,.....	76,640	in number.
Flour,	73,178	barrels.
Provisions,	673	"
Ashes,.....	936	"
Cider,	14	"
Dried fruit,.....	1,779	pounds.
Wood,.....	21½	cords.
Potatoes,	1,280	bushels.
Clover and grass seed,	61,914	pounds.
Flax seed,.....	6,674	"
Wool,	11,471	"
Cheese,	4,271	"
Butter and lard,.....	11,571	"
Hops,.....	10,127	"
Hemp,	6,762	"
Tobacco,....	21,569	"
Furs and peltry,	94,153	"
Merchandize,	2,608	"
Furniture,.....	18,243	"
Bar and pig lead,.....	10,000	"
Sundries,.....	182,066	"

The amount of toll which would have been paid to the State, upon this property, if it had passed upon the canal between Albany and Schenectady, would have been as follows, viz:

On the down freight,	\$303 34
On the up freight,	904 51
	<hr/>
Total....	\$1.208 85
	<hr/>

The remonstrance of John Brown, of Schenectady, which has been referred to the Canal Board, in connection with the memorial of the Mohawk and Hudson rail road company, does not appear to have any connection with the application of the company for a basin at the junction of the road with the Erie canal. The complaint of Mr. Brown seems to be directed against an "alteration of the route of the rail-road, so as to divert the present road as well from his land, as from the Mohawk bridge, over which it now passes, and by a longer and more circuitous route, construct the road below the Mohawk bridge, and make it necessary to build a new bridge over the Mohawk river, to the great prejudice of the said memorialist and others." Mr. Brown seems to have supposed that the company had applied to the Legislature for power to make the changes alluded to, under a general notice, in the same advertisement, in which notice is given for authority to construct a basin.

If the Canal Board have rightly understood the bearing of the remonstrance of Mr. Brown, he desires to guard his interests against an application of the company, under the general clause in their notice, for permission to alter the route of their road, and change the place of crossing the Mohawk river. If this is so, any further examination of the contents of the remonstrance, on the part of the Board, would be superfluous.

Respectfully submitted.

A. C. FLAGG,
JOHN A. DIX,
MICHAEL HOFFMAN,
WM. C. BOUCK,
JONAS EARLL, Junior.

STATE OF NEW-YORK.

No. 32.

IN SENATE,

February 5, 1835.

REPORT

Of the joint committee appointed to examine the Treasurer's accounts.

The joint committee appointed to examine the accounts of the Treasurer, by a concurrent resolution of both Houses of the Legislature, in pursuance of the Revised Statutes,

REPORTED:

That from a careful examination of the Treasurer's books it appears there have been paid into the treasury, from all sources, during the fiscal year ending on the 31st of October last, \$2,426,932.29. That the balance in the treasury on the first day of October, 1833, was \$85,799.10, making the total amount to be accounted for \$2,512,731.39.

The amount paid out by the Treasurer, on warrants from the Comptroller, during the same fiscal year, is \$2,463,813.21, which being deducted from the former leaves a balance in the treasury on the first of October last of \$48,918.18.

On examining the books of the Commercial bank of Albany there appears to be a balance of \$1,309.88, which has been duly accounted for by drafts made by the Comptroller and Treasurer not then presented. And the amount in the Manhattan bank, uncertified, is \$219.69.

The uncurrent bank bills in the treasury, included within the above estimate, on the first day of October, 1833, amounted to

[Senate No. 32.]

\$779.06. There has been paid by the receiver of the Middle District bank **\$271.88**, during the last year, leaving a balance on hand of uncurrent bank bills amounting to the sum of **\$507.18**.

Your committee also, (at the special request of the Comptroller, it not being within their province,) examined the accounts and vouchers, as far as time would permit, of the Canal Board, under the immediate charge of the deputy Comptroller, (Mr. Newell,) and express their entire satisfaction therewith. There seems, in our opinion, only one thing we can suggest, which will give additional security against frauds in the immense accounts of expenditures by the canal superintendents, their foremen or agents. That is to compel them to swear to their accounts officially returned to the Canal Board, and to file a copy thereof, and of the oath, in the office of the clerk of the county in which the services were performed: and to make malicious false swearing therein, and any fraud or collusion in their accounts, punishable as a misdemeanor, by fine and imprisonment.

Your committee, in the course of their investigation, (although, from a literal construction of the act under which they were appointed, it may not be considered as strictly within their province to go further than the examination of the treasury, the warrants of Comptroller, and the authority under which they were drawn,) have carefully examined the various and numerous vouchers presented to the Comptroller for his sanction: among which the most prominent cases are,

1. The payment of the various executive officers, from the Governor down:

2. The expenses of the two branches of the Legislature:

3. The payments to the judiciary and the court for the correction of errors:

4. The annual appropriation to the State library:

5. The Commissary-General's department:

6. The Indian agencies, (including the payment of the Orchard party of the Oneida Indians, who have removed to Green Bay:)

7. The expenses of the Capitol park; (finished:)

8. The expenses of the new State buildings; (unfinished:)

9. The expenses of general courts martial:

10. The Canal fund and its investments:

11. The Bank fund and its investments:

12. The New-York and Central asylums for the deaf and dumb:
13. The Common School fund:
14. The Literature fund:
15. The State printing.

Your committee could, were it necessary, enter into a detailed statement of the above mentioned accounts and funds, their several amounts, and the vouchers for the payment thereof; but inasmuch as they will be respectively reported and explained by the officers who have them in charge, it would savor of supererogation to introduce them, and does not fall within the intent for which the committee was raised. We will, therefore, merely state that we find the various drafts from the treasury properly founded on warrants from the Comptroller: and that the Comptroller's warrants therefor have been supported by vouchers, and authorized by law.

We will also add that, in the course of our examination we have been highly gratified with the accuracy, the neatness, the general accountability and conscious rectitude which pervades the several departments visited by us, as well as the urbanity and prompt assistance rendered by the public officers to the committee, in the course of our investigation.

After having thus fulfilled the duty which the Revised Statutes have imposed upon the committee, perhaps we may be considered as trespassing on the time and province of the Legislature by the following remarks.

In looking over the Commissary-General's department, we find a continued increased expense without, in our opinion, an adequate cause; and some of them like the following: "forty dollars for hardware," without any specification as to the kind of hardware, and without accounting for the use thereof, appear to us too general. Other accounts, similar in their kind, have also been paid, which the confidence the Comptroller had in the public officer or person presenting them induced him to pass, and your committee presume are in reality perfectly correct; but we conceive the precedent dangerous, and one in all cases to be avoided. The expense of this department was in 1830, \$5,424; in 1831, \$3,781.81; in 1832, \$6,207.40; in 1833, \$9,461.45; in 1834, \$9,948.60.

The expenses of the Legislature, by the astonishing increase of printing, extra engrossing, extra clerk's fees, stationary and books,

have swelled almost beyond credence. And the members of the Legislature, to whom this report will be made, are requested to compare the expenses of the last with other Legislatures that have preceded it, when the wages of the members were the same.

One other and most alarming increase of expenditure, and which is the subject of frequent remark, is the contingent expenses of each separate branch of the Legislature. That some latitude should be allowed in those cases is a necessary consequent to their nature. But that a simple resolution of one branch of the Legislature should be sufficient to draw from the treasury, under the name and appropriation of "a contingent expense," large sums of money, which neither the constitution nor legislative enactment authorizes, sanctions the principle that one branch can, under this construction, obtain indirectly what, if it required the sanction of law, might be refused. A strife and rivalry might be excited between the different Houses, which would tend either to a violation of law and of the constitution, or to the embarrassment of the Comptroller in the execution of his duty. We suggest a case for illustration. Suppose a bill should pass one branch of the Legislature, giving to each member a set of the Revised Statutes, which should be rejected in the other: if, by a resolution of that branch passing it, each member thereof could be supplied with a copy, the effect would be as we have before suggested. It will readily be perceived that unless each branch confines itself and its expenses to the exact provisions of the law; and unless the law itself defines, with as much precision as possible, the nature and extent of "contingent expenses," this constructive power may be extended so as to equal if not exceed, in its drafts on our treasury, every other department of government. From one book it may be extended to a library, &c.

Your committee, in these remarks, do not mean to attribute any want of correctness to our Legislature, or firmness in our public officers in resisting encroachments. The conduct of both, and all has been sanctioned by law, resolution or precedent: but as this is an important and deeply interesting subject; and as these expenditures are continually and rapidly increasing, (never lessening;) and one extravagance only leads and paves the way to another, we conceive it our duty to submit these remarks, (without exempting ourselves from the application of the maxim "pari delicto,") to the serious consideration of the Legislature.

Your committee will hazard an additional remark, that in their examination of the accounts and pay rolls of the several members of the court for the correction of errors, with scarcely an exception, there appears to have been a constant and punctual attendance of the several members thereof during the whole term; and yet, unaccountable, and indeed anomalous as it may seem, it appears, from the records of the court, that on the final decision of many cases a sufficient number of members who have heard the cause, and are competent to vote thereon, can scarcely, (and in some cases not at all,) be found.

The Legislature will excuse us in making the above several statements and suggestions. Although not strictly within the letter, we may indulge the hope that, with "an empty treasury" in view, they are not without the spirit of the statute. At all events, as citizens deeply interested in the prosperity of our country, we trust our suggestions may not be considered disrespectful nor impertinent; and that the Legislature will, if in their opinion the several matters referred to require an investigation and legislative enactment, provide a remedy.

The committee, in conclusion, beg leave to recommend an extension, by law, of the powers of the examining committee, so as to embrace every subject which may come, directly or indirectly, within the financial department of the State, including the Canal and Bank funds, and their investments, &c. &c. &c.

Albany, Dec. 24, 1834.

WM. I. DODGE,
OLIVER R. STRONG,
JOSEPH H. ANDERSON.

STATE OF NEW-YORK.

No. 33.

IN SENATE,

February 4, 1835.

REPORT

Of the committee on claims, on the bill from the Assembly entitled "An act for the relief Samuel S. Lush."

Mr. Tracy, from the committee on claims, to which was referred the bill from the Assembly, entitled "An act for the relief of Samuel S. Lush,"

REPORTED:

That all the material facts of the case are found in the report of the Commissioners of the Land-Office, made to the Assembly on the 13th day of January last, and from which the committee make the following extracts:

"It appears by the books in the public offices, as represented by the petitioner, that he purchased at a sale of lands, held by the Surveyor-General, lot No. 312, of township No. 11, Old Military tract, in the county of Essex; and on the 11th day of December, 1805, the petitioner paid into the treasury the sum of \$63, having previously paid \$10 on making the purchase, being a total of \$73 paid for the lot. On the 11th day of September, 1806, a patent was granted to him for the said lot No. 312, which lot was represented in the patent, as containing, exclusive of water, 107 acres.—Two lots were granted to the petitioner in the same patent, viz: Numbers 236 and 312, on condition, as set forth in the patent, 'that within the term of seven years, to be computed from the first day of January next, ensuing the date hereof, (Sept. 11, 1806,) there shall be one actual settlement made on the hereby granted

premises,' otherwise the letters patent, and the estate thereby granted, become void. It is not known, whether or not, the petitioner complied with this condition in the grant; but it is supposed he did not, and subsequent laws were passed, releasing these and other lands from forfeiture. See reference to these laws, p. 347 Senate Journal of 1829.

"The lot in question, No. 312, is represented in Thomas' survey, made in 1804, as being partly covered with the waters of Placide lake; the number of acres thus covered, as near as could be ascertained from the original map, at the time of the sale, was fifty-three acres. In 1832, John Richards was employed to re-survey township No. 11, and from the survey and map made by him, and filed in the Surveyor-General's office, it appears that lot No. 312 is covered with the waters of the Placide lake, excepting about 30 acres, there being 77 acres less of land than the quantity patented to the petitioner, and paid for by him.

"For this deficiency, he presents a claim against the State, of \$52.53, for principal paid in 1805, and the interest on this sum at 7 per cent, for twenty-nine years, making a total of \$158.32.

"Assuming that Thorn's map is erroneous, that Placide lake is not truly delineated upon it, and this is clearly shown by the new survey of the township, made in 1832, it would seem to be just, that the petitioner should have the 77 acres, which appear to be covered with water, made up to him."

'From the foregoing facts, it is established, beyond reasonable doubt, that the officers acting for the State in selling, and the petitioner in purchasing lot No. 312, supposed it to contain one hundred and seven acres. Both parties naturally confided in the accuracy of the original survey and map, and both were deceived by it. In ordinary cases where land is conveyed by metes and bounds, or even without metes and bounds, but by some general and intelligible description, the party conveying, if he act in good faith, that is, without wilful misrepresentation or concealment, is not responsible that the quantity shall correspond with that represented in the conveyance, except he expressly covenant to that effect. This rule, though its application in some cases is severe, seems, on the whole, sufficiently just, especially as it is reciprocal in its operation, the purchaser standing an equal chance to get a greater or a less quantity than that represented in the conveyance. At any rate, the rule is a settled one; and its application to cases

where the State is a party to the conveyance, is as fair and just as in cases between individuals.

But in the present case there are circumstances which, in the opinion of the committee, seem so take it out of the operation of the rule. The lot in question is bounded by lake Placide, as was known to both parties at the time of the sale; and the possibility that from this cause the quantity of land might not be exactly ascertained, seems to have entered into consideration in making the contract. At least, the committee cannot otherwise account for the introduction into the patent of the unusual expression "exclusive of water," unless it were intended for an assurance that there was the quantity of land named in the patent, exclusive of the land covered by the waters of the lake. It is true that this expression cannot be construed to be such a covenant, that an action could be maintained in a court of common law to recover damages for a breach of it; but the committee are inclined to the opinion, that it amounts to a representation so fitted to mislead a contracting party, that were it a transaction between individuals, the suffering party might find redress in a court of equity. It is true, it may be said, that had there proved to be a greater quantity of land in the lot than is stated in the patent, the petitioner would have held it without paying an additional price; but this consideration does not affect his present claim to indemnity, if the committee is right in construing the expression in the patent to amount to an affirmation, that there was in the lot at least one hundred and seven acres, exclusive of land covered by the waters of the lake. The expression used is peculiar, and is believed to be altogether unusual. It was intended to mean and does mean something, and the committee are unable to find for it any satisfactory meaning except that assigned. If this, then, is the meaning, there seems no reason to doubt, that if it were a transaction between individuals, equity and good conscience would require the party to refund who had received pay for what he had not sold. The rule of justice cannot be any different in its application to the State; and the committee therefore report in favor of the passage of the bill, repeating, however, that they are led to this conclusion, wholly by the particular expression in the patent, to which they have so often referred.

STATE OF NEW-YORK.

No. 34.

IN SENATE,

February 5, 1835.

REPORT

Of the committee on canals, on the petition of William Buell.

Mr. Armstrong, from the committee on canals, to which was referred the petition of William Buell,

REPORTED:

The petitioner represents, that during the year 1831 he was a superintendent of repairs on the Erie canal, on the line extending from Medina to Buffalo: that as such superintendent, he was directed by the acting Commissioner, under an order of the Canal Board, to construct a raceway to carry the water round the locks from the upper to the lower level at Lockport: that in the execution of the said order, he was resisted by persons claiming title to the land upon which he was constructing the said raceway: that he and the workmen in his employ were several times arrested and committed to prison, by virtue of process issued by a justice of the peace: that in consequence of such arrest and imprisonment, the work was hindered and delayed: that under these circumstances, he commenced several suits against the persons who, as he believed at the time, had unlawfully arrested and imprisoned him: that in consequence thereof, he has been subjected to costs and expenses, for which, he believes he is entitled to an indemnity: and that he is advised by the Commissioners of the Canal Fund, that by the existing laws they cannot afford him any relief. He therefore prays that a law may be passed, authorizing the Commissioners of

the Canal Fund to audit and pay the costs and expenses that he has been subjected to in consequence of the said suits.

The claim of the petitioner was presented to the last House of Assembly, and referred to the Commissioners of the Canal Fund. Their report thereon will be found in the Assembly Documents, vol. 4, No. 318, to which your committee beg leave to refer.

The committee are satisfied that the petitioner acted in good faith in the discharge of his duties, and that the principal, if not the only object he had in view in commencing suits, was to discourage and prevent the unprecedented opposition that was then made to the progress of the work; and that he is equitably entitled to relief, and have directed their chairman to ask leave to introduce a bill.

STATE OF NEW-YORK.

No. 35.

IN SENATE,

February 7, 1835.

RESOLUTION

To amend the Constitution.

***Resolved*, That the following amendment to the Constitution of this State be proposed, and referred to the Legislature next to be chosen; and that the Secretary of State cause the same to be published in one newspaper in each of the counties of this State, if there be one printed therein, for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the said Constitution."**

When a sufficient sum shall have been collected from the revenues of the Canal Fund for the payment of the interest, and the reimbursement of the principal sums borrowed for making the navigable communications between the great western and northern lakes and the Atlantic ocean, so much of the tenth section of the seventh article of the Constitution of this State as relates to the rates of toll to be levied and collected on the said navigable communications, and the appropriation of the revenues of the Canal Fund, shall cease and determine. And the tolls and revenue thereafter arising from said Canal Fund, together with the other revenues of the State, shall constitute the General Fund, to be appropriated in such manner as the Legislature shall direct

STATE OF NEW-YORK.

No. 36.

IN SENATE,

February 7, 1835.

COMMUNICATION

**From the Comptroller, transmitting the reports of the
Bank of Rochester and the Long-Island Bank.**

**COMPTROLLER'S OFFICE, }
Albany, Feb. 7, 1835. }**

**TO THE PRESIDENT OF THE SENATE,
SIR—**

In obedience to a resolution of the Senate of the 4th instant, I transmit herewith, a statement of the funds and property of the Bank of Rochester, made on the 2d of Sept. 1834; and a statement of the condition of the Long Island Bank, at Brooklyn, on the 17th of January, 1835.

I am, with great respect,

Your ob,t. servant,
A. C. FLAGG.

STATEMENT

Of the funds and property of the Bank of Rochester,
September 2, 1834-

Capital stock subscribed and paid,.....	\$250,000 00
Due depositors, viz:	
Commissioners of Canal Fund,.....	\$152,792 02
Treasury of State of New-York,...	15,791 74
Bank of Orleans,.....	10,000 00
Rail-Road Company,.....	10,926 00
Individuals, &c.....	63,082 00
	<hr/>
	\$252,591 76
Office notes in circulation,.....	360,582 00
Banking house and lot,.....	10,812 00
Due Bank of Rochester in deposite at Albany and New-York,	84,421 68
Discounted bills and securitics,.....	765,452 04
Notes of solvent banks on hand,.....	22,377 00
Specie in vault,.....	18,183 58

STATE OF NEW-YORK, }
Monroe County, } ss.

Frederick Bushnell, President of the Bank of Rochester, and James Seymour, cashier of said bank, being duly sworn, do severally, and each for himself, depose and say, that the within statement of the funds and property of the Bank of Rochester, as the same existed on the 2d day of September last, is, in all respects, true; and that the said statement contains a true account of the funds and property of the said Bank of Rochester, on the said 2d day of September last, to the best of the knowledge and belief of the deponents.

FREDERICK BUSHNELL,
JAMES SEYMOUR.

Sworn and subscribed before me, }
this 8th day of October, 1834. }
G. H. MUMFORD,
Com. of Deeds.

STATEMENT

Of the funds and property of the Long-Island Bank.

Long-Island Bank, Brooklyn, January 17th, 1835.

DR.

Notes discounted, and loans,.....	\$768,760 76
Due from the Phenix Bank in the city of New-	
York,	91,160 29
Checks and notes of other banks,.....	38,109 74
Specie in the vault,.....	37,602 48
Real estate,	10,000 00
Tax, salaries, and other expenses,.....	3,976 84
	\$949,610 11
	\$949,610 11

CR.

Capital stock,.....	\$300,000 00
Surplus fund,.....	73,946 90
Discounts and interest received,.....	22,878 99
Dividends,	1,968 25
Notes in circulation,.....	191,190 00
Due to the Brooklyn Savings Bank,.....	52,571 20
Due to other banks,.....	29,322 62
Deposites,	277,732 15
	\$949,610 11
	\$949,610 11

STATE OF NEW-YORK, } ss.
Kings County,

Leffert Lefferts, the President of
the Long Island Bank, and Daniel Emberry, the cashier thereof,
being duly sworn, severally deposed and said, that the foregoing
return contains a true account of the affairs of the said bank, to
best of their knowledge and belief.

L. LEFFERTS, *Pres't.*
D. EMBERRY, *Cashier.*

Sworn to, before me, }
Jan. 27, 1835. }

JOSEPH DEAN,

Com. of Deeds in and for Kings co.

STATE OF NEW-YORK.

No. 37.

IN SENATE,

February 9, 1835.

REPORT

Of the committee on claims, on the petition of Enos Stone.

Mr. Tracy, from the committee on claims, to which was referred the petition of Enos Stone, of Rochester, praying to be relieved from a judgment recovered against him as surety for Cornelius A. Van Slyck, late collector of tolls on the Erie canal,

REPORTED:

That this case was presented to the Legislature at its last session, and referred to the committee on claims, of the Assembly, a majority of which committee reported against, and a minority of said committee in favor of the prayer of the petitioner; to which reports, numbered 116 and 121 of the Assembly Documents of 1834, this committee beg leave to refer, as containing all the facts of the case necessary for its full understanding by the Senate.— This committee also report, that it concurs fully in the conclusion of the majority of said committee on claims, that the Legislature ought not to discharge the petitioner and his co-sureties from the said judgment, and will add to the reasons given by said majority for their conclusion, the opinion, that as said judgment belongs to the Canal Fund, which is under a constitutional pledge, it is doubtful if the Legislature could discharge it without providing for the payment of a corresponding amount to said fund from the State Treasury.

The committee further report, that the petitioner represents he is advised by counsel, and verily believes, the judgment rendered

[Senate No. 37.]

against him by the supreme court to be contrary to law; but that he is prevented from bringing a writ of error, for the purpose of having said judgment reviewed in the court of last resort, by the provision of the Revised Statutes which requires the plaintiff in a writ of error to give security for the payment of the judgment in case of its affirmance, which provision he is unable to comply with, because the amount of said judgment far exceeds the whole value of his estate. Under these circumstances, the committee, believing that the legal principles on which said judgment of the supreme court was pronounced, are important, and to afford a reasonable ground for contestation by the party affected by them, have deemed it liberal and fair to afford the petitioner an opportunity to bring a writ of error on the same, without compelling that security for the payment of the judgment, in case of its affirmance, which is obviously beyond his power to obtain. For this end, the committee ask leave to introduce a bill.

STATE OF NEW-YORK.

No. 38.

IN SENATE,

February 7, 1835.

REPORT

Of the committee on finance, on so much of the Governor's message as relates to the finances of the State.

Mr. Van Schaick, from the committee on finance, to whom was referred so much of the Governor's message as relates to the finances of the State,

REPORTED:

That, during the fiscal year, the disbursements of the treasury, were,

For the salaries of the officers of government, and of the judges of the courts of equity and justice, and for the clerk hire of the various departments, and for contingent expenses,	\$53,338 45
Pay of the members of the Legislature,	84,331 52
Pay of members at the extra sessions of the court for the correction of errors,	16,450 30
	<hr/>
	\$154,120 27

Deficiencies in the revenues of the Cayuga and Seneca, the Crooked Lake, Oswego and Chemung canals, to pay their expenses and extra allowances,	\$92,881 16
Transportation of convicts to the State Prisons from the places of conviction,	9,536 69
	<hr/>

Carried forward,

Brought forward,	\$	
Indian annuities and expenses,		17,871 64
Apprehension of criminals and fugitives from justice,		2,569 02
Brigade and division inspectors,	\$4,266 00	
Commissary's department,	9,948 60	
Courts of inquiry and courts martial, ..	2,549 50	
Erection of gun houses,	500 00	
Keeper of arsenals,	225 00	
		<hr/> 17,587 10
Support and instruction of indigent deaf and dumb pupils,		12,194 39
Interest on the State debt,		33,246 65
Postages of official letters,		2,276 67
Printing for the State,		22,569 02
State library,		1,991 83
Bounties on killing wolves,		1,395 00
Assessments, repairs of Capitol, survey of lands, &c.		6,109 68
		<hr/> \$376,263 12

Special Appropriations.

On account of the State Hall on Capitol square,	\$41,568 10	
Purchase of Indian lands,	13,668 86	
Surveys of roads, canals, &c.	12,684 63	
		<hr/> 67,919 59
Eye Infirmary, New-York,	1,000 00	
Institution for the deaf and dumb,	5,000 00	
Commissioners to examine the State Prisons,	462 50	
Messengers, witnesses in suits, counsel fees, &c. &c.	2,023 43	
		<hr/> 8,505 93
For the year ending September 30, 1824,	\$452,688 64	

Estimated Expenditures for the year 1825.

Legislative, executive and judicial departments,	\$140,000 00	
Postages and allowances formerly made by the court of exchequer,	8,500 00	
		<hr/>
Carried forward,	\$	

Brought forward,.....		\$
Transportation of convicts and apprehension of criminals,	12,500 00	
Indian annuities, and all expenses relating to Indian affairs,	18,000 00	
Printing,	30,000 00	
Commissary's department and brigade inspectors and courts martial and of inquiry,	14,000 00	
Miscellaneous expenses,	20,000 00	
Support and instruction of indigent deaf and dumb,	12,000 00	
	<hr/>	
	\$240,000 00	
Interest on the State debt,	39,500 00	
Deficiencies in the revenues of the lateral canals above named, their income not being sufficient to pay the interest on their debts, and for repairs and superintendence, as estimated, by the sum of	60,000 00	
	<hr/>	
	339,500 00	
It may be presumed that the special appropriations already made and not yet disbursed, and those which the Legislature may, during their present session, see fit to make, may amount to,	100,000 00	
	<hr/>	
Total,.....	\$439,500 00	
To meet those demands, the State possesses the capital of the General Fund, consisting of bonds and mortgages, amounting to,	\$190,500 00	
The revenues for the present year may be,	30,000 00	
	<hr/>	
	220,500 00	
	<hr/>	
Deficiency of the current year,	\$218,903 38	
	<hr/>	
The Treasury Debt is composed of		
Borrowed at 5 per cent of (J. J. Astor,)	561,500 00	
“ 4½ “ (Bank Fund,)	178,026 01	
To which add the deficit as above,	218,903 38	
	<hr/>	
Amount of this debt September 30th, 1835,	\$958,429 39	
	<hr/>	

There is a small quantity of lands recently purchased from the Indians, or acquired by escheat. From this source, principally, the

receipts of the General Fund may amount to \$20,000 per annum, for a few years.

When these means are exhausted, the revenues of the General Fund will consist of pedler's licenses, fees of office, and a tax on foreign insurance companies; the aggregate receipts whereof are about \$7,000.

The actual condition of the entire debt of the State on the 30th September, 1834, was as follows:

Treasury debt,		\$739,526 01
Canal debts—Oswego,	\$427,347	
Cayuga and Seneca, ...	237,000	
Chemung,	316,000	
Crooked Lake,	120,000	
	<hr/>	1,100,347 00
Chenango,		1,000,000 00
Amount unprovided for of the Erie and Champlain canal debt,		1,932,076 38
		<hr/>
Making a total of....		<u>\$4,771,949 39</u>

No means have been provided to pay either the interest or the principal of the Treasury debt, or of the debts of the four lateral canals first above named.

The deficiencies of the Chenango canal, are a charge upon the Canal Fund; but as the premiums on the loans for its construction are applicable to the payment of the interest on said loans, the charge will not immediately fall on that fund.

The actual amount of revenue received on account of the Erie and Champlain canal Fund, from all sources, from September 30th, 1833, to September 30th, 1834, is as follows:

From tolls,	\$1,313,155 81	
Vendue and salt duties,	330,120 02	
Interest upon deposits,	117,092 00	
Sundries,	11,996 94	
	<hr/>	1,772,364 80
Carried forward.....	\$	<hr/>

Brought forward.....		\$
The actual amount of expenditures,		
For interest on canal debt,.....	\$278,173 26	
Repairs and superintendence,...	423,517 10	
Sundries,.....	35,009 52	
	<hr/>	736,699 88
Nett revenue of the Erie and Champlain canal		
fund for the year 1834, after paying all expenses,	\$1,035,664 92	
To make up this sum, the vendue and salt duties		
contributed only,	\$330,120 02	
And the tolls and interest on the		
fund, the balance	705,544 90	
The estimated surplus of the revenues of that fund		
over expenditures and interest on the debt for		
the current year, is	\$1,042,897 98	
	<hr/>	

State of the Erie and Champlain Canal Debt.

Original amount of money borrowed,	\$7,751,570 99
Extinguished between the year 1826, and the 30th	
September, 1832,	\$750,535 13
1833, to September 30th,	1,478,376 57
1834, to September 30th,	588,006 61
	<hr/>
	2,816,918 31
Amount of this debt as it existed at the last men-	
tioned date,	4,934,652 68
Deduct moneys in the hands of the Commissioners	
at the close of the fiscal year,	3,002,576 30
	<hr/>
And there will remain a balance of the Erie and	
Champlain canal debt unprovided for, September	
30, 1834, of	\$1,932,076 38
	<hr/>

The foregoing statements, furnish all the materials which appear to your committee, to be necessary for the purpose of enabling the Legislature to form a sufficiently correct judgment, of the probable increase and diminution of the respective debts of the State.

The only revenues now possessed by the State, of any importance, are the auction and the salt duties, and the tolls of the Erie and Champlain canals.

Neither of these resources can be rendered available, until after provision has been made for the payment of the Erie and Champlain canal debt.

The auction and salt duties, when they shall be returned to the Treasury, may be considered sufficient for the payment of the ordinary expenses of government; and when the canal tolls shall also be liberated from the constitutional appropriation of them, the surplus of their receipts will, in like manner, be transferred to the service of the Treasury.

That these resources may be relied upon to discharge, at some future period, the existing debt of the State, and such additional loans, as it may be necessary to take for the support of government, is perhaps, not a matter of doubt; but whether it is prudent to depend exclusively upon anticipations of these revenues, in the present condition of public affairs, and with the prospect of encountering the expense of the construction of several of the larger public works, to which allusion is made in the message of the Governor, presents a more serious and difficult question.

Anterior to, and at the commencement of, the project for constructing the Erie and Champlain canals, the State was the owner of a large amount of property. It consisted principally of lands, and bonds and mortgages, arising from sales of lands, and growing out of loans made to the people, upon the security of bonds and mortgages, in times of difficulty. This was called the "General Fund" of the State.

These resources, excepting such portions of them as have been expended in the support of government, have been liberally and wisely dispensed by the Legislature, for the creation of the Common School Fund, the Literature Fund, and for various objects of charity and public improvement. The Comptroller states the amount applied to common schools, academies, and canals, at more than seven millions of dollars, and says: "If there is reason to regret that this fund is extinct, there is greater reason to rejoice, that its extinction has essentially aided the establishment of other funds, the beneficial effects of which, are extended to every part of the State."

Much as the policy of exhausting the General Fund has been questioned, the Legislature seem to have determined, by a long course of legislation, to consume that fund before they would consent to resort to any other mode of supplying the necessities of the Treasury. The views by which this policy was dictated have at no time received the countenance of those citizens, who, with distinguished ability, have, during the last nine years, administered the duties of the Comptroller's office.

On the contrary, they have invariably recommended the imposition of a general tax; and have frequently suggested the expediency of that measure, with the declared purpose of saving the General Fund from extinction. The design of the Legislature has been at length accomplished, and the consequence is, that the State is left without any revenue, or capital directly applicable to the support of the government. It has, therefore, become necessary either to lay a direct tax, or to resort to loans, for the purpose of meeting the immediate exigencies of the Treasury.

In the absence of any regular and sufficient income, the justice of applying directly to the people, for the means of carrying on the business of their own government, cannot be disputed; and that they will cheerfully respond to the call of the public necessities, is equally certain; but whether this is the proper time to make such a call, is a question upon which your committee do not agree; the chairman of the committee being of opinion, that the anxiety evinced in every part of the State for an extended system of improvements, the condition of the public treasury, and the aspect of our national affairs, concur to render this a peculiarly fit occasion for the levying of a direct tax. For these reasons, it was his desire to superadd to the plan of finance upon which the committee have agreed, a law to impose a general tax upon the people of this State.

That proposition, the chairman of the committee deems it his duty to the public, under present circumstances, to hold in reserve, to be brought forward or not, as may seem to be required by a more perfect development of our proceedings in regard to appropriations of the public credit to the financial views of the Legislature, or other occurrences of public concernment.

The propositions agreed upon by the committee, are

1st. The passage of the resolution now before the Senate, amending the constitution, so as to take the auction and salt duties

from the Canal Fund and return them to the General Fund, for the service of the treasury, whenever a sufficient amount of money shall be collected and safely invested to pay the canal debt.

2d. A law authorising the Comptroller to issue certificates of stock, payable at times not exceeding seven years at an interest not exceeding 5 per cent, instead of borrowing money from the particular funds, or elsewhere, at 6 per cent, as he is now authorized to do.

3d. A resolution to amend the Constitution in such manner, as that when a sufficient amount of money shall be collected and safely invested to pay the canal debt, the restriction on the rates and appropriation of the tolls shall cease and determine; and the revenues of the Canal Fund, together with the other revenues of the State, shall constitute the General Fund, to be appropriated in such manner as the Legislature may direct.

The first and third propositions, it is expected, will take effect together—that is, as soon as provision is made for the payment of the canal debt. If the least important of them is adopted, it will contribute essentially to the relief of the treasury.

The law suggested by the second proposition, contemplates the repayment of the moneys that may be borrowed by the Comptroller under the authority of the section of the Revised Statutes therein referred to, as fast as, in his judgment, the revenues of the State may furnish the means.

The success of the third proposition is indispensable for two reasons:

1st. To enable the Comptroller to redeem the certificates of stock which he may issue on account of loans, at such times as the treasury may be in possession of the money.

2d. Because, without the aid of its operation, the unnecessary accumulations of the Canal Fund must continue after the period shall have arrived when there will be a sufficient amount of money collected and invested to pay the canal debt; and the treasury must continue to be deprived of all assistance from the tolls of the canals, until after the year 1845, when the last instalment of that debt will fall due.

The increasing amount of trade on the canals, and the opulent condition of the Canal Fund, demonstrate the propriety and safety of adopting the propositions above recommended.

The Commissioners of the Canal Fund state in their report "that notwithstanding an average reduction of tolls, of about 20 per cent, in 1833, and about 15 per cent in 1834, such has been the great increase of business on the canals, that the aggregate amount of tolls collected from the opening to the closing of navigation in the years 1833 and 1834 exceeds the collections for 1831 and 1832 by the sum of \$332,280.50."

By comparing the nett revenue for 1834 and the estimate of revenue for 1835, with the amount of the canal debt, yet unprovided for, it will be seen that, by the increase of the Canal Fund, of more than one million of dollars per annum, the sum required for the payment of the canal debt would be secured at the end of the fiscal year in 1836, though \$2,905,645.38 of the debt is not payable until 1845.

But if the project of doubling the locks and rebuilding the aqueduct across the Genesee river, which has been authorized by the Legislature, shall cost "from \$600,000 to 1,000,000 of dollars," that appropriation taken out of the revenues of the fund, will postpone its aggregation to an amount necessary to liquidate its debt, until near the close of the fiscal year 1837.

Should the Legislature determine upon enlarging the Erie canal, the consequent expenditure would produce the effect of postponing the completion of the Canal Fund to an amount sufficient to discharge the Erie and Champlain canal debt, to a period of time proportioned to the amount of money, consumed in the improvement.

But as the opinion appears to be that these works can be safely and advantageously prosecuted only in a gradual manner, the probability is, that the fund will accumulate to an amount sufficient for the discharge of the debt in 1838.

The discretionary power intended to be granted to the Comptroller by the second proposition, will enable him to borrow money for the use of the treasury, upon more favorable terms than will be practicable under the law, of which that now proposed is virtually an amendment.

The proposed authorization to issue certificates of stock, having not more than seven years to run, is founded upon the computation
[Senate No. 38.]

tion of the time, it may require to finish the undertakings which have been mentioned, to restore to the Canal Fund the amount of the expenditures which these improvements will require, and to provide a fund to pay the then existing debt of the treasury.

For the payment of any loans that may be taken, so much of the revenues of the State as may be necessary for that purpose are proposed to be pledged by the second proposition. The general wording of the pledge leaves the Legislature at liberty to reduce the tolls as the public interests may require; and to appropriate to the public service so much of the revenues as are not pledged.

It is not perceived than any other plan of finance can be devised which will afford a chance of avoiding taxation, however prosperous the public affairs may remain.

Before the amendment of the Constitution, intended by the third proposition, can take effect, the whole of that part of the Erie and Champlain canal debt, which is payable on the 1st of July, 1837, will have been discharged.

The Commissioners of the Canal Fund continue the purchase of this debt at a rate of premium which allows the State, for the money so applied, an interest of about four per centum per annum. These purchases will be continued as fast as the holders of the stock are willing to part with the same. The impression which will be produced in reducing its total amount by the combined operations of paying off the debt of '37, and buying in the debt of '45, may be conjectured from the following table:

Debt payable in 1837,		
Outstanding six per cent,.....	\$1,177,708 48	
“ five “	851,298 82	
	<hr/>	\$2,029,007 30
Debt payable in 1845,		
Outstanding six per cent,.....	\$850,000 00	
“ five “	2,055,645 38	
	<hr/>	2,905,645 38
		<hr/>
		\$4,934,652 68
Moneys in the hands of Commissioners, 30th Sept.		
1834,	3,002,576 30	
	<hr/>	\$1,932,076 38

The certainty therefore is, that when the amendment referred to is consummated, the debt will not exceed \$2,905,645.38, and the probability is, that it will be much less. And as the money will be safely invested to cover the whole amount that may remain unredeemed, but so as to be drawn at short notice, the holders of the stock can apply for and receive payment whenever they may please.

This arrangement is conceived to be an ample fulfilment of the pledge to the public creditor, as well as to the people of this State, upon the highest principles of morality and justice. It surely cannot be required that large sums of money should be kept suspended in the Canal Fund, to the great prejudice and injury of the public service, while the State was suffering for the want of that revenue, merely for the purpose of conforming to the words of the law creating the pledge. If this were necessary for the perfect fulfilment of the obligations which the State is under to its creditors, the accumulations of the Canal Fund in 1845 might amount to as many millions of dollars as there would be hundreds due and owing to them.

Your committee will conclude this branch of the subject with one observation. Until the first and third propositions take effect, the Comptroller will be obliged to borrow to the extent of the ordinary expenses of government—of the special appropriations which may be made by the Legislature, and of the increase of the treasury debt by compound interest; and after the Bank Fund is consumed, these borrowings must be of a temporary character, and probably at a rate of interest as high as 6 per cent.

In canvassing the subject of public improvement, as connected with appropriations of the public treasure, or credit, it must be admitted that it is not possible to adjust by any rule of proportion, over an extended and diversified territory, a perfectly equal distribution of advantages by canals and roads. Those improvements must follow the routes pointed out by the formation of the ground, the contiguity of waters, and the facility and cheapness of bringing the most productive country to the best market, wherever that may be.

Consulting the arrangements of nature, and encouraged by the enlightened councils and determined perseverance of Clinton, our predecessors wisely selected the most practicable and important

lines of communication between the Atlantic and the lakes, upon which to commence the system of internal improvements. The selection of the route necessarily left some parts of the State neglected, and the value of property there in a languishing and depressed condition. While the immense expenditures on the line of the canals, in their construction, and the animating influence of their trade conspired to bestow an increased value upon the property of the favored portions of the State.

Under the smart of losses actually incurred, and not yet forgotten; and of ungratifying comparisons as to their prospects and condition, the representatives of the remote counties contended that in the construction of the Erie and Champlain canals, the undivided energies and resources of the State had been employed, and the best portion of its income consumed, having been diverted from its customary and equal operation upon the interests and feelings of all the people. The tax, too, it was said, which grew out of the necessities of the war, was continued for the benefit of the canals up to the year 1826, inclusive. For several years this tax made up to the treasury the amount of the deficiencies created by the conversion of some of its revenues to the construction of the canals. It amounted in the whole to three millions of dollars. The act of the Legislature, which in its practical operation, tended greatly to diminish the value of their estates and increase the prosperity of their brethren, was considered as involving a sacrifice of their interests for the exclusive accommodation and benefit of particular districts and cities. And the conclusion was drawn, that if under a state of circumstances thus created, and which had been highly auspicious to one party, and unfavorable to the other, the latter demanded to be relieved from taxation, by withdrawing superfluous revenues from the Canal Fund, and anticipating its resources, their claim to the exemption was declared to be sustainable upon the ordinary principles of justice, which prevail between equal parties to a contract.

On the other side, the opponents of the financial measures which have heretofore been proposed in the Legislature, with the design of anticipating the embarrassments of the treasury, by a timely provision, have represented, that a work which has cost immense sums of money, and contributes to the prosperity of the most extensive and productive sections of the country, as well as of the finest cities in the State, should be cherished with peculiar care. The transcendent importance of canals, which connect

by the most extensive inland water communications in the world, new and growing empires unsurpassed in fertility, with the mistress of the Atlantic cities, has been urged with no greater vehemence than is due to the magnitude of the subject.

The policy, which selected for improvement the most convenient route to market, for the largest district of country was defended upon the ground, that such a selection was attended with the least risk of failure, at a time when canal navigation was, in this part of the world, an experiment, and the success which had attended the enterprize thus far, it was proclaimed, sufficiently disclosed the important and gratifying fact, that the Erie and Champlain canals would not only confer a particular advantage upon the districts of country through which they ran, but would also contribute to the general prosperity of the State.

The enlargement of the Erie canal, was justly considered a project of the highest importance. To that work the resources of the State should first be applied. Its successful completion would increase the utility and enhance the value of an avenue to market, which it was already perceived, was not sufficiently capacious to accommodate the increasing trade of the lakes.

Sentiments like these very fairly preceded the statements made, and the apprehensions expressed by those who are supposed to be acquainted with the details of the canal and transportation business in this country, and which statements were intended to show that the policy of neighboring States may compel us to follow their lead in reducing our tolls to the very lowest rates, for the purpose of preserving the superiority we enjoy.

Your committee do not believe it to be necessary for them to enter into an exposition of the facts or calculations by which these apprehensions were fortified. The questions they involve may be safely left to the experience and judgment of the Canal Board. With their supervision and management, the public are satisfied, and there can be no reason to doubt that the administrative offices from which the members of that board are taken, will always be filled by men of industry and intelligence.

But upon the general effects of a fair and open rivalry your committee will remark, that competition in trade is usually inevitable and always salutary, since it invariably reduces the price of food and raiment to consumers, and renders the interchange of commo-

dities, and the circulation of money, more active and beneficial throughout the community. But of any competition which may amount to a substantial injury to our prosperity, your committee feel little apprehension, provided we preserve, by a wise and liberal policy, the advantages of our natural position.

The seas which wash the interior shores of this State, or are connected with them by water communications must open to our great market the productions of a fertile country of vast extent. From new lands, rich in quality and moderate in price, the increasing population and healthful industry of freemen must in time furnish sufficient trade to satisfy the ambition of all competitors. So far as our interests are likely to be affected by rival efforts, we are content to leave the issue to time, and to confide the means of our success to the penetration and judgment of the Legislature and the public spirit of our fellow-citizens.

The exhibition of an empty treasury and exhausted means, and the statement showing the inevitable increase of the public debt, which your committee have furnished, admonishes us that it is time to unite upon some plan of finance by a sacrifice of our predilections, and a magnanimous confidence in the intentions of each other.

Your committee have endeavored to discharge from their own minds any peculiar notions they may have entertained on these subjects, and have presented this review of the points of collision which have heretofore obstructed the action of the Legislature, for the purpose of reconciling every interest and uniting all the representatives of the people in the support of a series of propositions, which, as they believe, will, in their operation, be equally advantageous to every important section of the State.

An interchange of opinions between the members of your committee, has satisfied their judgments that no unfair reduction of the tolls is designed by those parts of the State most peculiarly benefitted by the canals; and they deem it expedient to express this opinion in unequivocal terms, to the end that the views now entertained on that point may not be misunderstood.

But it must be self-evident that the competent authority will feel bound to direct whatever reduction of the tolls may be necessary for the purpose of preserving the commerce of the canals in full activity.

As it seems to your committee that there cannot be a dissenting voice from the justice of these positions, they venture to hope that a general acquiescence in their import, will secure a nearly unanimous concurrence in the measures which your committee have proposed, as much under the influence of those views, as from the conviction of the indispensable necessity that suitable provision should now be made to sustain the operations of the treasury.

In expressing these sentiments your committee do not intend to anticipate the opinions or in any degree to assume the right of confining the free action of their successors; but possessing unlimited confidence in the just and liberal views by which their constituents are actuated, your committee place themselves with entire confidence upon the assumption that neither the city of New-York, nor the great west whose interests are precisely the same in this matter, desire to pursue any other policy in regard to the canals than such as may be required to promote their prosperity, and be at the same time entirely consistent with the best interests and the equal rights of every part of the State.

If reliance can be placed upon the existence of principles so equal and fair for the future, and of their prevailing influence in the adjustment of our public concerns, every vestige of apprehension which has heretofore existed that the tolls might be reduced below their just and necessary rates, in the event of their being liberated from the constitutional restriction, must be dissipated.

We deem it prudent to meet this delicate question openly, and to say of it, that as the canals belong to the State so the tolls belong to the treasury, and they are necessarily to be regulated upon principles of public policy, and not for the special advantage of any particular part of the commonwealth, either in their increase or diminution.

In support of his opinion that a general tax should now be laid, the chairman of the committee begs leave respectfully to make the following remarks.

Whether the prosperity of all our works of internal improvement, those already completed or under contract, and such as may hereafter be undertaken, will eventually justify the policy of avoiding, by loans, a suitable provision for the payment of the interest accruing upon expenditures on account of new contracts, is, to say the best of it, a subject of doubt and uncertainty.

But there may be a conjuncture which, whenever it shall happen, will render the feebleness of the policy of supporting the government and paying the interest on unproductive investments, with borrowed money, perfectly apparent.

A non-intercourse with any important consumer of our products, or a belligerent occupancy of the ocean which should have the effect to cut off our exports, would diminish the revenues of the canals and of the auction duties, in proportion to the severity and duration of the inhibition of our trade.

After this Legislature shall have adjourned, we shall have already anticipated our revenue to the amount of \$900,000, including Astor's loan; and before the treasury will be able to reach its actual use, by the constitutional amendments which may be adopted, the additional anticipations to be made for the purposes of government, will probably exceed \$700,000. So, that when the revenues of the canals and of the auction and salt duties shall come into the treasury, its debt will be increased to between one and a half and two millions of dollars. By that time, the interest on this debt and of the lateral canal debt, and of loans to be contracted for further improvements, may be so large, that together with the current expenses of the government and the special appropriations of the Legislature, they will approximate to an amount which may, under the adverse circumstances alluded to, be greater than the total of the annual nett proceeds of those revenues.

The Special Fund, originally created by our predecessors for the exclusive benefit of the Erie and Champlain canals, has furnished the most effectual aid to that enterprize: and the conversion of a principal portion of the revenues of the State to the support of that fund, was considered a suitable substitute for the avails of a tax, which would, without that provision, have been required for the purpose of paying the interest on the debt contracted on account of these canals.

If the experience we have had in relation to the unproductiveness of the lateral canals, furnish an intimation of the expectations which may be indulged as to the success of future undertakings of that description, then it has become necessary, in contemplation of further improvements, and the losses to be thereby incurred, to prepare a system adequate to sustain the projects themselves, and the public credit upon which they must be based.

"The fund for the general support of the government has sustained the lateral canals for the last five years, and has advanced for that purpose \$249,646.29: of which, the sum of \$93,881.16 was paid during the last year;" and it is seen, by the estimate which stands at the head of this report, that the deficiencies of these canals, for the current year, will be \$60,000.

The deficiencies which may result from the construction of the Chenango canal, having been made by the act authorizing its construction, a charge upon the Canal Fund, are not taken into the consideration of this subject.

It can hardly be anticipated, that all the canals hereafter to be built in this State will afford immediate profit so as to sustain themselves: Until "the progressive advancement of the region of the State" through which they may pass, and the commercial harbors with which they may be connected, shall furnish an increased amount of business, they will probably all remain a charge upon the treasury. To provide for the demands growing out of actual expenditures, and for the contingencies depending upon unascertained results, it is not perceived that a system of taxation can be any longer dispensed with, when formidable works of this description shall be again undertaken at the public expense.

If the general tax had been continued from 1826 until this time, the finances of the State would probably have remained in a sound condition, and the numerous projects for improvement, to which the Governor in his message alludes, might have received, if worthy of it, the cordial support of the Legislature.

This view of the subject, which is believed to be strictly just, presents in a strong light the wisdom of the recommendations so frequently made from the Comptroller's office in favor of a direct tax; but the proposition has not heretofore met with any encouragement from the Legislature. The improvements which are now in the contemplation of citizens inhabiting important sections of the State, had not been suggested, the extent to which the system might be carried by the enterprize and requirements of an active and intelligent population, had not been foreseen. The Legislature were inclined to look forward to the time when the existing canals would pay their own debts out of the Canal Fund, and to the necessary consequence that the auction and salt duties, together

with the surplus revenues of the canals, would furnish the means for every reasonable and legitimate purpose of government.

The citizens for whose accommodation the numerous and highly important improvements are designed, to which allusion has been made in the message, have a right to be favorably heard by the Legislature; and if their projects are not merely feasible, but also promise to advance the general interests of commerce, if they will be but lightly burthensome to the treasury in proportion to the benefits they will confer on the regions of country through which they are intended to pass, the claims of those citizens upon the justice and sympathy of the Legislature will doubtless prevail.

Out of what fund is the interest that may accrue upon the loans which must be made for the construction of the projected works, to be procured?

The auction and salt duties yield from \$300,000 to \$400,000.

The ordinary and extraordinary expenses of government are from \$400,000 to \$450,000.

Those receipts and disbursements may be supposed to balance each other, leaving the following as the condition of the public debt after the liquidation of the Erie and Champlain canal debt shall have been accomplished, by the operation of the system of finance the committee have agreed to propose,

Treasury debt between 1 $\frac{1}{2}$ and	\$2,000,000
Lateral canals,	1,100,000
Chenango canal when completed, between	\$1,800,000 and \$2,000,000
Add for new canals,	

The canal projects mentioned in the message of the Governor are, "the Black river canal, the Rochester and Olean, a ship canal from the Hudson river to lake Ontario, and another around Niagara Falls."

How many of these important works may be authorized by the Legislature cannot be foretold, and therefore the amount to be added to the debt of the State at the period above alluded to, is conjectured. But it cannot be conceived that prudent men will

involve the State in a large additional amount of debt without providing the means of paying the interest. Every suggestion of experience and every principle of sound policy forbids the attempt to force a system which must endanger the cause of internal improvement.

STATE OF NEW-YORK.

No. 39.

IN SENATE,

February 5, 1835.

REPORT

Of the Comptroller, on the bill for the relief of Jacob I. Timmerman.

**COMPTROLLER'S OFFICE, }
Albany, Feb. 3, 1835. }**

TO THE SENATE:

The Comptroller, on the reference from the Senate of a bill entitled "An act for the relief of Jacob I. Timmerman," and the papers connected therewith, respectfully submits the following

REPORT:

The petition of Jacob I. Timmerman states, that his father, John D. Timmerman, deceased, for more than thirty years in his lifetime, owned, possessed, and died seised of the northwest corner of lot number four, in Livingston's patent, consisting of one hundred acres, lying in the town of Canajoharie, in the county of Montgomery, which said land the petitioner holds by virtue of the will of his father.

The petitioner states, that in the winter of 1823, he called at the Comptroller's office, by direction of his deceased father, paid the quit rent due on said one hundred acres, or intended to pay on said lot, and supposed he had done so, and did not detect the mistake until called upon by the agent of the purchaser of sixteen acres of said lot, at the sale of lands for quit rents, in 1826; and after the purchaser had obtained the Comptroller's deed for the

[Senate No. 39.]

same. On examining the receipt, after the agent called, it was found that it specified lot No. 4, in a patent of 4,000 acres granted to Philip Livingston and others, instead of the land belonging, at that time, to his father; which lies in a patent granted to Philip Livingston and others, containing 20,000 acres.

On referring to the quit rent sales book, for 1826, the two patents are entered in the manner given below; from a comparison of which entries, it will readily be seen that the similarity in the general description of the two patents, might, and probably did, cause the error complained of. The style of the patent in which Timmerman's lot No. 4, is situated, and the entries in the sales book connected with it, are as follow, viz: "*Patent to Philip Livingston, and others, for 20,000 acres, Albany county, dated February 10th, 1762, quit rent 2s. 6d. sterling per 100 acres per annum.*" Immediately below, is entered the following note: "This patent is situate, chiefly, in the towns of Canajoharie, in Montgomery county, and Danube, in Herkimer, a small part of the south end may be in Otsego county, in the town of Cherry-Valley. It is of an irregular form; the numbers of the lots and the quantities, are taken from a map accompanying the deed of partition in the Secretary's office."

The style of the patent which contained the lot No. 4, to which the payment made by Timmerman was applied, is as follows, viz: "*Patent to Philip Livingston and others, for 4,000 acres, Albany county, dated Nov. 18, 1769, quit rent, 2s. 6d. sterling per 100 acres per annum.*" To this was added the following note: "This patent appears to, be in Saratoga county, in the town of Edinburgh: by the map of the State, it seems to interfere with the north-easterly part of the Northampton patent: by a map of the subdivisions, in the Surveyor-General's office, it seems to have been divided into lots; but the quantity of each is not stated, and a great part seems to be covered by other patents."

When Mr. Timmerman called to commute for the quit rents charged upon his land, in consequence of a reference to the wrong patent, there being more than one reference to patents granted to "Philip Livingston, and others;" or want of proper care in examining the explanatory note; or the carelessness of the petitioner, in not giving the number of acres in the patent, if he knew them, or the county in which the land was located, on which

he wished to pay—the payment which he made, was credited to one hundred acres of lot No. 4, in a patent of 4,000 acres in Saratoga county, instead of being credited to 100 acres of lot No. 4, in a patent of 20,000 acres in Montgomery county. The following entry was made in the quit rent diary, viz:

“ Paid by J. I. Timmerman, for arrears of quit-rent, and for commutation of future quit-rents, on the land hereinafter described, lying in a patent of 4,000 acres, granted on the 18th day of November, 1769, to P. Livingston, and others, viz:

Lot No. 4, N. W. cor. 100 acres,

Paid, February 27, 1823,..... \$2 18.”

The payment having been thus credited in the diary, to the 4,000 acre patent of P. Livingston, it was credited to the same patent on the sales book; and the lot owned by Mr. Timmerman, not appearing to have been commuted for, was advertised for sale; and on the 10th of March, 1826, sixteen acres out of the northwest corner were sold for the taxes and fees, amounting, together, to \$14.06. This land was bid off by Charles E. Dudley, and a deed for 16 acres was given to Jesse Buel, to whom the certificate had been transferred, on the 9th of March, 1829.

The land in question being occupied, the purchaser does not acquire a perfect title to the 16 acres, without serving upon the owner or occupant the notice required by the 22d section of the act of 1819, concerning quit-rents, which is as follows:

“ XXII. *And be it further enacted*, That in every case of sale and conveyance, by the Comptroller, pursuant to this act, of lands which may at the time of conveyance, be in the actual possession and occupancy of any person or persons, the person or persons to whom such land may be conveyed, or others holding under him or them, shall serve a written notice on the person or persons in the possession or occupancy, or leave such notice at his or their dwelling house, with one of the family, stating in substance the sale and conveyance, and to whom made, the amount of consideration, after adding fifty per cent thereto, and stating, also, that unless the said consideration, and the said fifty per cent thereon, be paid into the treasury for the benefit of the purchaser, within six months from the time of the service of such notice, that the conveyance of the Comptroller to the said purchaser will be absolute, and the occupant, and

all others interested in the land, be forever thereafter barred of all right or title to the same; and the receipt of the Treasurer, countersigned by the Comptroller, for the said money, accompanied by a certificate of the Comptroller, under his hand and the seal of his office, stating the payment, and shewing particularly what land such payment is intended to redeem, shall as effectually redeem the said land from the sale and conveyance, as if redeemed within two years after the sale; and the said certificate shall and may be recorded in the same manner and with the like effect as a deed regularly acknowledged by the grantor before an officer authorized to take such acknowledgments. And in every case of actual occupancy and possession, as aforesaid, of land sold and conveyed, pursuant to this act, it shall be necessary for the purchaser, or those holding under him, in order to complete his title to any such land, to shew, by due proof, that the said notice was duly given; and, by a certificate from the Comptroller, that the payment, by this act required, had not been made into the treasury."

This section requires that the purchaser of occupied land,

1. "Shall serve a written notice on the person in the possession or occupancy of the land:" in which notice, shall be set forth all the facts of the case necessary to enable the owner to protect himself against the effect of the sale.

2. It gives the owner six months to redeem, after notice is served by the purchaser; and the Treasurer's receipt, for the redemption of the money, with the Comptroller's certificate under seal, stating the particulars of the redemption, "shall as effectually redeem the said land from the sale and conveyance, (by the Comptroller,) as if redeemed within two years after the sale." And, to remove the blemish from his title, occasioned by the Comptroller's deed, it is declared that the said certificate may be recorded.

3. The section declares, that it shall be necessary for the purchaser of lands for quit-rents, in order to complete his title to such lands, to shew, by due proof, that notice had been duly given to the occupant; and, by a certificate from the Comptroller, that the redemption money had not been paid into the Treasury.

Timmerman's land was sold in March, 1826. In March, 1828, the purchaser was entitled to a deed from the Comptroller, but the deed was not applied for until March, 1829. It was decided, under the act of 1819, relative to quit-rents, as well as under the act

of 1823, in relation to tax sales, that the purchaser must obtain the Comptroller's deed before he could legally give the notice to the occupant of the land sold. The purchaser of Timmerman's land has, therefore, been in a situation to give the notice required to perfect his title, since the 9th of March, 1829,—a period of six years on the 9th of the next month.

If notice had been given, or should now be given, as required by the law under which the sale was made, Mr. Timmerman could redeem his lot, and relieve his title altogether from the operation of the quit-rent sale, and the Comptroller's deed.

The purchaser, probably, conceives that he can take his own time to perfect his title; but shall he be allowed, by withholding the notice specified in the statute, to deprive the occupant of a chance which was intended to be given to him, of redeeming his land from the operation of the sale? There is no time expressed in the law, for serving the notice; but, is it not right to infer, that this should be done within a reasonable time?

In 1830, an act was passed, in relation to lands sold for taxes, which contains the following section:

“§ 5. The occupant of any lands heretofore sold for taxes, and which were or shall be occupied at the expiration of the two years allowed for the redemption thereof, the owner of such occupied lands, or any other person, may, at any time before the service of notice by the purchaser, or the person claiming under him, redeem any lands so occupied as aforesaid, in the manner specified in the fourth section of this act, provided the title of the purchaser shall not have become perfect prior to such redemption.”

Upon the principle of this law, (although this section does not apply to sales for quit-rents,) Mr. Timmerman might be allowed to redeem, on furnishing proof of the occupancy of the lot; and, inasmuch as there is reason to believe that he paid the sum required to commute for his land, which, by mistake, was credited to another lot; provision, probably, ought to be made, that there should be paid from the Treasury to the purchaser, or his assignee, such sum as the occupant would be required to pay to redeem the 16 acres, if notice had been served on him.

The Comptroller respectfully submits to the consideration of the Senate, the draft of a law, applying the principle adopted in 1830,

relative to tax sales, to the sales of the land of Timmerman, for quit-rents: He also refers to the report of the Comptroller for 1830, page 28, and onward, for a description of the evils, which the act of 1830 was designed to remedy.

Respectfully submitted,

A. C. FLAGG.

AN ACT

For the relief of Jacob I. Timmerman.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

1 **SECTION 1.** The amount required to discharge one hundred
2 acres of lot number four, in a patent of twenty thousand acres
3 granted to Philip Livingston and others, from the quit rent
4 charged thereon, having been paid into the treasury by J. D.
5 Timmerman in 1826, and the payment having been, by mis-
6 take, credited to one hundred acres of lot number four, in a
7 patent of four thousand acres granted to Philip Livingston and
8 others: and in consequence of such mistake sixteen acres of
9 the lands of the said Timmerman having been sold for quit
10 rent the 10th day of March, 1826, to Charles E. Dudley, and
11 a deed for the same having been given by the Comptroller to
12 Jesse Buel, on the 9th day of March, 1829: and the purchaser
13 not having served the notice which is necessary to perfect his
14 title, or to enable the owner to redeem the land: it is, therefore,
15 provided, that whenever Jacob I. Timmerman, the present
• 16 owner of the land before described, shall furnish to the Comp-
17 troller satisfactory proof that the said land sold and conveyed
18 as before stated, was occupied as contemplated by the law un-
19 der which the sale was made, he shall give to the owner a certi-
20 ficate, as provided by the twenty-second section of the act,
21 entitled "An act concerning quit rents, and to increase the
22 Literature and School funds, respectively," passed April 13,
23 1819: which said certificate shall be given under his hand
24 and the seal of his office, and shall as fully release the said
25 land from the sale and conveyance, as if redeemed within two
26 years after the sale: and said certificate shall and may be re-
27 corded as provided in the act of 1819, before referred to.

1 **§ 2.** Whenever the provisions of the preceding section shall
2 have been complied with, the Treasurer shall pay on the war-
3 rant of the Comptroller, to Charles E. Dudley, or any person
4 lawfully claiming under him, the amount necessary to redeem

5 the sixteen acres of land described in the first section of this
6 act, according to the provisions of the act of 1819, referred to
7 in said first section; the sum to be estimated in the same man-
8 ner as if the owner had redeemed under a notice from the pur-
9 chaser.

STATE OF NEW-YORK.

No. 40.

IN SENATE,

January 31, 1835.

REPORT

Of the Comptroller in answer to a resolution of the Senate, giving the valuations of real and personal estate, &c.

COMPTROLLER'S OFFICE, }
Albany, January 28, 1835. }

TO THE SENATE.

The Comptroller, in answer to a resolution of the Senate, of which the following is a copy, viz:

“ Resolved, That the Comptroller furnish a return of the taxable value of the real and personal estates of the people of this State; also, a return of the capital stock of all the corporations in this State liable to taxation; and that he furnish a statement of the moneys paid out of the general funds of the State towards the construction and support of the Erie and Champlain canals; the sums received by the Canal Fund in each year, to be arranged under the respective heads of supply from which they were taken; and that he report how much he estimates the duty of salt per bushel, the original duty of three cents, or the duty as it has been, of twelve and a half cents per bushel:”

RESPECTFULLY SUBMITS THE FOLLOWING REPORT:

The taxable value of the real and personal estates of the people of this State, as ascertained by the assessments for the year 1834, is as follows, viz:

Real estate,	\$350,340,013
Personal estate,	108,331,941
	<hr/>
	\$458,677,954

The table marked A, exhibits the value of the real and personal estates in each county, for the year 1834, so far as returns could be obtained from the clerks of the boards of supervisors. On the 2d day of January, circulars were sent to the supervisors' clerks, who were delinquent, of thirty-three counties, requesting them to make the returns to this office, required by the 34th section, p. 395, 1 R. S. Returns have been obtained from all the counties, except Allegany, St. Lawrence and Schoharie.

The valuations of the counties from which no returns could be obtained, have been taken from former reports, and are added to the total amount, as may be seen by reference to the table.

The statement marked B, exhibits the amount of capital stock of all the corporations in the State liable to taxation, and the real estate held by each, arranged under the heads of the several counties in which the corporations are situated.

There may be corporations in the State liable to taxation, which are not included in this list, although no exertion has been spared, for the last year, to obtain returns from all existing corporations, and to get information in relation to those which had become extinct. To effect this object, a list was made out in 1833, of every corporation found in the Session Laws from 1791 to 1833, a period of 42 years; and circulars were sent to such as had not made, to this office, the annual returns required by the 3d section, p. 415, 1 R. S. The list made out, contains nearly one thousand corporations of every description. The number of those now in existence, and liable to taxation, as given in the statement, marked B, is two hundred and fifty-one. There are a great number of turnpike, manufacturing, and other companies in operation in the State, which are not embraced in the list reported, for the reason that their dividends are not such as to make them taxable: And a great number of the corporations originally granted, have become extinct.

The capital of all the corporations embraced in the list marked C,	
amounts to.....	\$52,998,919 81
The stock held by the State or literary or charitable institutions, amounts to the sum of	632,528 00
<hr/>	
Leaving the total amount of stocks, and real estate liable to taxation, in all incorporated companies in the State, at	\$52,866,391 81

The total amount of real estate held by all the corporations, which are liable to taxation, is \$3,882,857.78; which sum is embraced in the total of taxable capital, as stated above.

The taxable property of the State may be classed as follows, viz:

Real estate owned by corporations,	\$3,882,857 78	
Amount of stock for which corporations are taxed,	48,483,534 08	
		<u>\$52,366,391 81</u>
Real estate other than that owned by corporations,	\$346,463,185 22	
Personal estate other than that assessed to corporations,	\$9,848,408 97	
		<u>406,311,592 19</u>
Total amount of real and personal estate, as shewn in statement A,		\$458,677,984 00

The statement marked C, exhibits the contributions from the General Fund to the Erie and Champlain Canal Fund, from 1816 to 1824, as follows, viz:

Vendue duty,	\$3,193,807 61
Salt duty,	1,872,329 68
Avails of land sales, (Grand Island, &c.,)	63,543 80
Appropriations from treasury,	42,957 09
Total,	<u>\$5,172,638 18</u>

The direct payments from the treasury set down in the table against the year 1816, are those which were made previous to the organization of the Board of Commissioners of the Canal Fund, by the act of 1817. These payments, amounting to the sum of \$38,957.09, were made under appropriations contained in the following acts, viz:

Chap. 240, Laws of 1808,	\$600 00
Chap. 193, Laws of 1810,	3,000 00
Chap. Laws of 1811,	15,000 00
Chap. 273, Laws of 1816,	20,000 00
	<u>\$38,600 00</u>

Chapter 20, of the Laws of 1817, made an appropriation, out of which the excess of expenditure beyond the former appropriations was probably paid, amounting to \$357.09.

In making up the amount of \$1,872,329.68, in statement C, for salt duties, the nett proceeds of the duties at 12½ cents for each bushel of 56 pounds of salt, are included, up to the 12th day of February, 1834, at which time the constitutional amendment took effect, reducing the duty to six cents upon each bushel of salt manufactured.

Respectfully submitted.

A. C. FLAGG.

(A.)

Assessed valuations of the Real and Personal estate in the several Counties in the State of New-York, for the year 1834.

COUNTIES.	Real estate.	Personal estate.	Total.	Non-resident debts.
Albany,.....	\$8,878,401	\$4,108,317	\$12,986,718	
Allegany,.....	.....	.....	.....
Broome,.....	1,774,453	260,629	2,035,082	
Cattaraugus,.....	.....	.....	1,361,667	
Cayuga,.....	3,516,028	836,539	4,352,567	
Chautauque,.....	2,807,746	831,340	3,639,086	
Chenango,.....	3,297,415	456,682	3,754,097	
Clinton,.....	1,316,178	53,822	1,370,000	
Columbia,.....	8,359,966	1,892,418	10,252,404	
Cortland,.....	1,997,981	266,949	2,264,930	
Delaware,.....	2,947,873	354,922	3,302,805	
Dutchess,.....	13,269,487	3,693,454	16,962,941	
Erie,.....	4,774,498	1,208,881	5,983,379	
Essex,.....	1,279,315	165,396	1,444,711	
Franklin,.....	885,941	62,876	948,817	
Genesee,.....	8,002,479	532,353	8,534,832	
Greene,.....	2,732,736	551,397	3,284,133	
Herkimer,.....	4,300,710	743,690	5,044,400	
				\$172,867

Assessed valuations of Real and Personal estate, &c.—Continued.

COUNTIES.	Real estate.	Personal estate.	Total.	Non-resident debts.
Jefferson,	3,875,314	463,481	4,338,795	149,649
Kings,	15,287,525	2,560,760	17,848,285	
Lewis, .....	.....	.....	1,662,000	
Livingston,	4,120,936	479,779	4,600,715	221,845
Madison,	3,977,371	669,100	4,646,471	
Monroe,	7,522,113	1,412,580	8,934,693	
Montgomery,	3,558,094	667,483	4,225,577	
New-York,	123,249,280	63,299,231	186,548,511	
Niagara,	3,820,446	165,334	3,985,780	405,819
Oneida,	8,792,776	1,958,550	10,751,326	
Onondaga,	7,229,654	1,044,178	8,273,832	
Ontario,	6,412,599	1,670,044	8,082,643	
Orange,	8,440,869	1,653,814	10,094,683	
Orleans,	3,012,723	507,754	3,520,477	
Oswego,	3,828,386	255,556	4,083,942	10,802
Otsego,	4,748,112	963,608	5,711,720	
Putnam,	1,961,098	368,102	2,329,200	
Queens,	5,383,745	1,933,600	7,317,345	
Rensselaer,	6,830,060	3,068,522	9,898,602	
Richmond,	699,166	81,806	780,972	
Rockland,	1,555,900	329,135	1,885,035	
Saratoga,	5,305,468	873,907	6,179,435	

St. Lawrence,.....	1,614,065	551,991	2,166,056	342,408
Schoharie,.....	3,020,074	398,043	3,418,117	
Schenectady,.....	2,930,580	515,483	3,446,063	
Seneca,.....	4,343,800	963,205	5,307,005	
Steuben,.....	1,175,924	67,267	1,243,191	
Suffolk,.....	2,447,360	522,086	2,969,446	
Sullivan,.....	3,015,000	551,600	3,566,600	
Tioga,.....	4,457,240	595,786	5,053,026	
Tompkins,.....	889,236	52,474	941,710	
Ulster,.....	5,093,186	883,046	5,976,232	
Warren,.....	3,169,476	226,253	3,395,729	
Washington,.....	7,768,979	2,005,527	9,774,506	
Wayne,.....	2,005,922	257,832	2,263,754	
Westchester,.....				
Yates,.....				
	344,588,861	108,036,652	452,625,513	1,303,390
	5,757,182	295,289	6,052,471	
Three counties in 1833,.....	\$350,346,043	\$108,331,941	\$458,677,984	\$1,303,390

(B.)

in the State of New-York liable to taxation, in the year 1834.

NAME OF	Capital ex- empt.	Capital ex- empt.
New-York State Bank	26,448	26,448
Bank of Albany,.....	15,000	15,000
Mechanics' and Farmers	12,235	12,235
Commercial Bank, ...		
Canal Bank,.....	1,000	1,000
City Bank,.....	6,000	6,000
Albany Insurance Com		
Merchants' do	500	500
Firemen's do		
Mohawk and Hudson		
Albany Water-Works		
Watervliet Turnpike C		
Albany and Bethleh		
Albany and Greene		
Broome County Bank,		
Chenango Bridge Com		
Colesville do		
Bank of Auburn,.....		
Cayuga County Bank,		
Moravia Cotton Mills,		
	7,500	7,500
	30,850 00	30,850 00

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Corporations, &c.—Continued.

NAME OF CORPORATION.	Total amount of stock and real estate.		Capital ex. emp.
	Real estate.		
Buffalo Woollen Manufacturing Company, ..	1,000 00	6,500 00	
Buffalo Fire Insurance Company, .....	.....	50,500 00	
Long Causeway Turnpike Company,	379 40	1,575 00	
Catskill Bank,	9,852 39	150,000 00	
Tanners' Bank,	5,560 00	100,000 00	
Cairo Bridge Company, .....	.....	2,500 00	
Catskill do .....	.....	5,000 00	
Schoharie-kill Bridge Company, .....	.....	6,000 00	
Catskill Mountain Turnpike Company, .....	.....	5,650 00	
Hunter do .....	.....	4,858 23	
Catskill Mountain Association, .....	.....	23,405 67	
Herkimer County Bank	6,100 84	200,000 00	
Union J	10,000 00	25,000 00	
Jefferso	2,000 00	80,000 00	
Watert	5,900 00	10,000 00	
Watertown Cotton Mills,	6,002 00	10,000 00	
Black River Cotton and Woollen Manufact	.....	37,732 00	
Brownville Manufacturing Company, .....	.....	100,000 00	
Sackets' Harbor Bank, .....	.....	900,000 00	
Long-Island Bank,	9,300 00	300,000 00	
Brooklyn Bank,	9,464 58	200,000 00	
Flushing and Newtown Bridge and Turnpike	.....	15,000 00	

Brooklyn Fire Insurance Company,	do	.....	869 00	102,000 00	
Wallabout and Brooklyn Bridge Company,	do	.....	.....	15,000 00	
Brooklyn, Jamaica and Flatbush Turnpike Company, ..	do	.....	.....	50,600 00	
Brooklyn White Lead Company,	do	.....	.....	100,000 00	
Livingston County Bank,	Livingston, .....	.....	2,000 00	100,000 00	250
Bank of Monroc,	Monroe, .....	.....	2,668 04	300,000 00	
Bank of Rochester,	do	.....	10,812 00	250,000 00	
Rochester Cotton Manufacturing Company,	do	.....	63,948 40	70,000 00	
Montgomery County Bank,	Montgomery, .....	.....	.....	100,000 00	
Caughnawaga Bridge Company,	do	.....	.....	6,930 00	
Fort-Plain do	do	.....	.....	6,550 00	
Florida do	do	.....	.....	12,500 00	
Madison County Bank,	Madison, .....	.....	2,807 40	100,000 00	
Lenox Iron Company,	do	.....	4,043 00	21,600 00	
Bank of New-York,	New-York, .....	.....	66,279 58	1,000,000 00	4,000
Manhattan Company,	do	.....	332,269 76	2,050,000 00	94,050
Merchants' Bank,	do	.....	59,090 85	1,490,000 00	196,900
Bank of America,	do	.....	84,413 25	2,001,200 00	21,400
North River Bank,	do	.....	28,105 21	500,000 00	
Union Bank,	do	.....	32,106 10	1,000,000 00	
Mechanics' Bank,	do	.....	68,587 17	2,000,000 00	77,125
Phenix Bank,	do	.....	45,000 00	1,500,000 00	550
City Bank,	do	.....	42,047 15	720,000 00	
Tradesmen's Bank,	do	.....	20,000 00	400,000 00	
Dry Dock Company,	do	.....	180,306 10	420,000 00	
Fulton Bank,	do	.....	49,863 50	600,000 00	
Chemical Manufacturing Company,	do	.....	.....	600,000 00	
Delaware and Hudson Canal Company,	do	.....	.....	500,000 00	

Corporations, &c.--Continued.

NAME OF CORPORATION			Real estate.	Total amount of stock and real estate.	Capital ex- empt.
Merchants' Exchange Bank,.....	New-York,	do	20,285 57	750,000 00	
National do	do	do	28,855 40	750,000 00	
Mechanics' & Traders' do	do	do	.....	300,000 00	
Butchers' & Drivers' do	do	do	21,272 17	500,000 00	
Greenwich do	do	do	.....	300,000 00	
Leather Manufacturers' do	do	do	20,000 00	600,000 00	
Seventh Ward do	do	do	6,000 00	500,000 00	
Commercial do	do	do	.....	500,000 00	
La Fayette do	do	do	.....	500,000 00	
New-York Marine Insurance Company,	do	do	50,000 00	500,000 00	500
Ocean do	do	do	.....	350,000 00	
American do do	do	do	23,250 00	500,000 00	
Neptune do do	do	do	5,000 00	250,000 00	
Jackson do do	do	do	.....	400,000 00	
New-York State do do	do	do	.....	800,000 00	
National do do	do	do	.....	250,000 00	
Commercial do do	do	do	.....	300,000 00	
Mercantile Insurance Company,	do	do	.....	500,000 00	4,300
Washington Fire Insurance Company,	do	do	47,231 38	500,000 00	1,500
Eagle do do	do	do	54,000 00	500,000 00	73,900
Globe do do	do	do	35,000 00	1,000,000 00	
Merchants' do do	do	do	4,951 48	500,000 00	

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[SENATE

Franklin	do	250,000 00
Manhattan	do	250,000 00
Fulton	do	28,287 10	270,650 00
Farmers'	do and Loan do	.....	.....	14,420 00	550,000 00
North River	do	.....	.....	19,400 00	350,000 00
Equitable	do	.....	.....	.....	300,000 00
Phoenix	do	.....	.....	.....	200,000 00
Contributionship do	do	.....	.....	46,500 00	253,000 00
United States do	do	.....	.....	.....	250,000 00
Traders' do	do	.....	.....	53,994 00	250,000 00
Firemen's do	do	.....	.....	1,754 40	300,000 00
Howard do	do	.....	.....	39,710 00	300,000 00
New-York Fire Insurance Company of the city of N. Y.	do	.....	.....	.....	200,000 00
City do	do	.....	.....	13,000 00	300,000 00
N. Y. Bowery do	do	.....	.....	9,721 23	300,000 00
Guardian do	do	.....	.....	.....	300,000 00
Union do	do	.....	.....	.....	400,000 00
N. Y. Life Insurance and Trust Company,.....	do	.....	.....	42,861 85	1,000,000 00
Ætna Insurance Company,	do	.....	.....	.....	400,000 00
Mutual Fire Insurance Company,.....	do	.....	.....	54,376 00	500,000 00
N. Y. Gas Light Company,.....	do	.....	.....	91,153 13	495,000 00
New-York and Boston Steam-Boat Company,.....	do	.....	.....	.....	139,000 00
American Fur Company,.....	do	.....	.....	.....	1,000,000 00
Merchants' Exchange Company,	do	.....	.....	.....	250,000 00
Lockport Bank,.....	Niagara, .....	.....	.....	8,000 00	100,000 00
Oswego Bank,.....	Oswego, .....	.....	.....	.....	150,000 00
North-Western Insurance Company,	do	.....	.....	.....	150,000 00
Oswego Cotton Manufacturing Company,.....	do	.....	.....	19,000 00	24,612 00

3,150

100

100

2,000

200

9,200

Corporations, &c.—Continued.

NAME OF CORPORATION.	Real estate.	Capital ex- cept.
Oswego Bridge Company,.....	.....	.....
Oswego Falls Bridge Company,.....	.....	.....
Oswego Turnpike Company,.....	.....	.....
Oswego Canal Company,.....	940 0	.....
Bank of Utica,.....	26,398 7	720
Bank of Rome,.....	4,008 1	.....
Oneida Iron and Glass Manufacturing Company,.....	30,246 0	.....
Oneida Glass do do	20,370 0	.....
Rome Turnpike Company,.....	1,000 0	.....
Rome Aqueduct do	.....	.....
Oneida Manufacturing Society,...	.....	.....
New-Hartford Manufacturing Company,.....	.....	.....
Oriskany do	.....	.....
Ontario Bank,.....	49,136 3	.....
Geneva do	6,148 7	.....
Bank of Orange,.....	39,021 8	.....
Levburgh,.....	16,513 0	.....
Bank,.....	.....	.....
Whaling Company,.....	20,524 3	.....
North River do	.....	.....
Orange Manufacturing Company,.....	.....	.....
Orange Turnpike Company,.....	.....	.....

Newburgh and New-Windsor Turnpike Company,.....	do	.....	5,000 00
Newburgh and Plattekill do	do	.....	4,340 00
Onondaga County Bank,	Onondaga,.....	.....	150,000 00
Bank of Salina,.....	do	6,472 61	150,000 00
Syracuse Salt Company,.....	do	.....	50,000 00
Onondaga do	do	.....	75,000 00
Fort Brewerton Bridge Company,.....	do	.....	2,000 00
Orleans Bank,	Orleans,.....	.....	200,000 00
Otsego County Bank,.....	Otsego,	3,310 93	100,000 00
Central Bank,	do	2,831 00	120,000 00
Phoenix Cotton Manufacturing Company,.....	do	6,700 00	18,000 00
Hargrave and Butternuts do	do	.....	76,000 00
Arkwright do	do	5,450 00	50,000 00
Union do	do	22,250 00	90,000 00
Oakville do	do	.....	5,000 00
Otego Village Bridge Company,.....	do	.....	955 00
Fishkill Mountain Turnpike Company,	Putnam,.....	.....	4,487 50
Woodbury Iron Company,.....	do	12,500 00	7,500 00
Newtown and Bushwick Turnpike Company, ..	Queens,.....	9,870 00	
Hempsted Turnpike Company,	do	1,000 00	14,400 00
Bethpage do	do	376 72	4,000 00
South Oyster Bay do	do	.....	30,000 00
Jericho do	do	.....	28,500 00
Richmond do	do	.....	150,000 00
Farmers' Bank,.....	Rensselaer,.....	19,663 33	278,000 00
Bank of Troy,.....	do	16,031 00	440,000 00
Merchants' and Mechanics' Bank,	do	13,368 60	300,000 00
City Bank,.....	do	16,629 24	300,000 00

					60,400
Ontario and St. Lawrence Steam-Boat Company,.....	do	.....	.....	45,000 00	
Mohawk Bank,.....	Schenectady,	53,139 36	.....	165,000 00	
Schenectady Bank,.....	do	.....	.....	150,000 00	
Schenectady Company,.....	do	.....	.....	100,000 00	
Mohawk 1	do	.....	.....	45,130 00	
Schoharie and Dutchess Turnpike Company,	do	.....	.....	14,000 00	
Seneca County Bank,	Seneca, .....	.....	.....	200,000 00	
Cochecton Turnpike Company,	Sullivan, .....	.....	.....	14,550 00	
Cobles Kill Bridge Company,	Schoharie, .....	.....	.....	5,000 00	
Blenheim do	do	.....	.....	2,240 00	
Middleburgh do	do	.....	.....	6,113 00	
Schoharie Eastern Branch Bridge Company,	do	.....	.....	39,000 00	
Chemung Canal Bank,.....	Tioga, .....	.....	.....	200,000 00	
Elmira and Southport Bridge Company,	do	.....	.....	6,218 37	
Smithboro' and Nichols Turnpike Company,	do	.....	.....	7,000 00	
Bank of Ithaca,.....	Tompkins,	9,606 30	.....	200,000 00	
Ulster County Bank,	Ulster,	6,475 52	.....	100,000 00	
Saugerties and Woodstock Turnpike Company,	do	754 56	.....	5,724 48	
N. Y. Crown and Cylinder Glass Manufacturing Co.,..	do	11,584 78	.....	20,000 00	
Ulster Iron Company,	do	43,200 00	.....	100,000 00	
Great Falls Manufacturing Company,	do	4,105 00	.....	30,000 00	
Dashville do	do	60,000 00	.....	100,000 00	
Bank of Whitehall,	Washington,	1,300 00	.....	7,450 00	
Company,	do	.....	.....	3,224 00	
Wayne County Bank,	do	400 00	.....	100,000 00	
Sodus Bay Bridge Company,	Wayne,	6,844 95	.....	2,500 00	
Westchester County Bank,	do	.....	.....	200,000 00	
	Westchester,	8,249 32	.....	

Corporations, &c.—Continued.

NAME OF CORPORATION.	COUNTY.	Real estate.	Total amount of stock and real estate.	Capital ex-empt.
Bronx Bleaching Company,	Westchester, ....	.....	30,000 00	
Southern Westchester Turnpike Company,	do .....	.....	15,000 00	
Yates County Bank,	Yates,	6,811 25	100,000 00	

RECAPITULATION.

COUNTIES.	Real estate.	Total amount of stock and real estate.	Capital exempt.
Albany,	982,254 72	3,627,290 00	68,183 00
Broome,	8,650 00	118,000 00	
Cayuga,	40,221 80	553,850 00	7,500 00
Chautauque,	6,098 86	100,000 00	
Chenango,	20,544 00	200,000 00	
Columbia,	20,160 00	549,000 00	
Dutchess,	15,762 12	704,500 00	
Delaware, .....	.....	3,000 00	
Essex,	22,779 28	311,000 00	
Erie,	1,379 40	658,575 00	
Greene,	25,152 30	207,422 80	
Herkimer,	16,100 84	225,000 00	
Jefferson,	13,902 00	437,702 00	
Kings,	19,633 58	782,600 00	
Livingston,	2,000 00	100,000 00	
Monroe,	77,428 44	620,000 00	250 00
Montgomery, .....	.....	125,980 00	
Madison,	6,850 40	121,000 00	
New-York,	1,749,692 80	83,934,850 00	488,975 00
Niagara,	8,000 00	100,000 00	
Oswego,	19,940 00	348,999 50	

RECAPITULATION.—Continued.

COUNTIES.	Real estate.	Total amount of stock and real estate.	Capital exempt.
Oneida,.....	82,080 91	1,347,000 00	720 00
Ontario,.....	55,285 19	900,000 00	
Orange,.....	76,059 17	873,955 65	
Onondaga,.....	6,472 61	427,000 00	
Orleans,.....	.....	200,000 00	
Otsego,.....	40,541 93	454,055 00	
Putnam,.....	12,500 00	11,987 50	
Queens,.....	11,246 73	226,960 00	
Rensselaer,.....	126,674 79	1,883,821 83	11,500 00
Rockland,.....	147,485 00	1,613 00	
Saratoga,.....	31,887 00	542,018 59	
St. Lawrence,.....	6,603 21	145,000 00	
Schenectady,.....	52,139 35	477,130 00	60,400 00
Seneca,.....	.....	200,000 00	
Sullivan,.....	.....	14,550 00	
Schoharie,.....	.....	52,352 00	
Tioga,.....	.....	213,218 37	
Tompkins,.....	9,606 30	200,000 00	
Ulster,.....	126,119 86	255,724 48	
Washington,.....	1,700 00	110,674 00	
Wayne,.....	6,844 95	102,500 00	

Westchester,.....	8,240 32	245,000 00	
Yates,	6,811 25	100,000 00	
	<u>\$3,882,857 78</u>	<u>\$52,998,919 81</u>	<u>\$632,528 00</u>
Deduct amount exempt,.....			
		<u>632,528 00</u>	
Total taxable,.....			
		<u>\$52,366,391 81</u>	

(C.)

A STATEMENT,

Showing the amount of monies abstracted from the general funds of the State, and paid towards the construction and support of the Erie and Champlain canals, or into the Canal Fund, from 1816 to 1834, both inclusive.

Year.	Vendue duty.	Salt duty.	Avails of land sales.	Direct payments from treasury.	Total.
1816	.....	.....	.....	38,957 09	38,957 09
1817	72,061 41	2,926 28	.....	4,000 00	78,987 69
1818	145,943 02	48,784 27	.....	.....	194,727 29
1819	111,319 04	54,410 69	.....	.....	165,729 73
1820	122,653 07	67,038 67	.....	.....	189,691 74
1821	121,195 97	46,345 24	.....	.....	167,541 21
1822	146,485 59	65,416 37	.....	.....	211,901 96
1823	181,814 36	102,221 64	.....	.....	284,036 00
1824	196,424 73	99,211 18	.....	.....	295,635 91
1825	253,452 38	71,222 75	27,875 00	.....	352,550 13
1826	203,737 84	83,273 59	8,044 00	.....	295,054 43
1827	265,290 65	120,030 58	.....	.....	391,321 23
1828	221,686 40	118,423 89	11,143 00	.....	351,252 29
1829	215,385 18	157,160 58	899 93	.....	373,445 69
1830	179,661 03	163,421 55	590 06	.....	343,692 63

1834

1831	155,901 66	98,703 91	9,189 81	.....	263,795 38
1832	250,424 02	170,098 46	5,803 00	.....	485,328 48
1833	181,014 23	227,860 05	.....	.....	408,874 28
1834	169,337 04	160,782 98	.....	.....	380,120 02
	\$3,193,807 61	\$1,872,329 68	\$63,543 80	\$42,957 09	\$5,173,638 18

STATE OF NEW-YORK.

No. 41.

IN SENATE,

January 26, 1835.

ANNUAL REPORT

**Of Thomas L. Ostrom, Inspector of Lumber for the
city of Troy**

**TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.**

Herewith is presented a report of the quantity, quality and value of the lumber inspected by me, during the year 1834, together with the fees received for such inspection.

Respectfully,

Your ob't servant,
THOMAS L. OSTROM.

616,666	"	"	..... 4th	"	10	8,166 66	367 58
.....	33,826	cubic feet	pine timber, merchantable,.....	.....	14 cts.	4,735 64	67 64
.....	3,446	"	"	.....	25 cts.	861 50	6 88
2,772,287	37,272					\$44,940 16	\$928 33

THOMAS L. OSTRAM, Inspector.

Troy, January 19, 1835.

STATE OF NEW-YORK.

No. 42.

IN SENATE,

January 24, 1835.

ANNUAL REPORT

**Of H. M. Hopkins, Inspector of Lumber for Albany
county.**

**TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.**

**Amount of lumber measured and inspected by Hiram M. Hop-
kins, one of the inspectors of lumber for Albany county, during
the year ending Dec. 31st, 1834.**

Pine Inspected.	Feet.	Value per M.
First quality,.....	13,590	\$31 00
Second ".....	14,937	22 00
Third ".....	22,352	17 00
Fourth ".....	140,429	10 00
Lumber Measured.		
Pine,	233,998	12 00
Hemlock,	76,764	7 50
Whitewood,	27,806	12 00
Ash,	9,436	15 00
Cherry,	6,819	25 00
Basswood,.....	5,836	10 00
Oak, cubic feet,.....	612	220 00

Amount of fees,..... \$162 51.

H. M. HOPKINS, *Inspector.*

STATE OF NEW-YORK.

No. 43.

IN SENATE,

February 5, 1835.

ANNUAL REPORT.

Of J. D. Stevenson, Inspector of Tobacco for the city and county of New-York.

TO THE LEGISLATURE OF THE STATE OF NEW-YORK.

Report of tobacco inspected in the city and county of New-York, from the 22d day of April, 1834, (the day on which the inspection commenced under the law of the last session,) to the 31st day of December, of the same year, with the average price per pound, and probable value thereof, as near as I have been able to ascertain, viz:

3,657 hhds. of tobacco, the growth of the State of Kentucky;
1,754 hhds. the growth of the State of Virginia; 413 hhds. the growth of the State of Ohio; and 85 hhds. the growth of the State of Maryland, making, in all, 5,909 hhds; from which deduct 118 hhds. condemned as unmerchantable, leaves

5,791 hhds. merchantable tobacco, weighing nett	
7,702,080 lbs. at 7 cents,.....	\$539,142 10
118 hhds. unmerch't. tobacco, weighing 159,433	
lbs. at 5 cents,.....	7,971 65
<hr/> 5,909	Total probable value, <hr/> \$547,113 75 <hr/>

Expenses of office.

Store or ware-house rent,.....	\$2,739 00
Pay of deputies,.....	1,500 00

Amount carried forward, \$4,239 00

Amount brought forward,	\$4,239 00
Clerk hire,.....	710 00
Coopers, labor, nails, hoops and other materials, and all other expenses,.....	7,009 00
	<u>\$11,958 00</u>

Amount of fees rec'd and to be rec'd for inspection,	\$11,818 00
Do. for storage,.....	1,556 00
	<u>\$13,374 00</u>
Deduct expenses,.....	11,958 00
	<u>\$1,416 00</u>

From the experience of the past year, I am not aware that any legislation on the subject can in any way benefit the inspection or increase the trade; and as an evidence of the value of the inspection to the city of New-York, the accompanying certificates from importers of the article, (many of whom opposed the passage of the law last session,) is respectfully submitted.

J. D. STEVENSON, *Inspector.*

CERTIFICATES

**Accompanying the report of the Inspector of Tobacco
of the city of New-York.**

(COPY.)

New-York, 15th January, 1836.

J. D. STEVENSON, Esq.

Inspector of Tobacco, New-York,

SIR—In answer to your request for an expression of our opinion as regards the advantages of a “Tobacco Inspection” in this city, we have to state, that during the past year we have, as you are aware, been purchasers to some extent of tobacco, and have found our operations much facilitated by the existence of an inspection. We have felt a greater security, as well as to fairness of samples as to actual weight of tobacco, and have no longer to fear various frauds which sometimes have been practised in packing this article, particularly in the weight of packages. We have every confidence, thus far, in the course you have adopted in the inspection: stripping the cask off; drawing samples fairly from various parts of the package; weighing and marking actual weight and tare; so that a party, whether buyer or seller, knows at once, as clearly as the nature of the case will admit, what is the actual character of the article.

If this system is closely continued, we have no doubt “the samples” of the New-York inspection will, in good time, be recognized in Europe as sufficiently safe guides, and save the necessity of re-examination. Whilst the fact of actual tare being ascertained, and the mode of inspection guarding against frauds being understood, tobacco, passing through the New-York inspection, will take an additional high stand in foreign markets.

Respectfully,

Your ob't servants,

(Signed,)

DAVIS & BROOKS.

New-York, 27th January, 1836.

I have perused the foregoing letter, and in the major part of the contents I concur. It may be added, that experience will suggest some valuable improvements—time will develop them.

Yours, &c.,

(Signed,)

CHARLES OAKLEY.

To Jno. D. STEVENSON, Esq.

New-York, 28th January, 1835

I have had an opportunity of judging of the "Tobacco Inspection" established in this city recently, and I am satisfied, that if the system is pursued as conducted by Mr. Stevenson, it will subserve the interests both of buyer and seller, and increase the trade in the article at this market.

(Signed,)
(Signed also by)

**JAMES DONALDSON.
WETMORE, HOPPIN & Co.**

New-York, 28th January, 1835.

We concur in the foregoing opinions in regard to the "Tobacco Inspection."

(Signed,)

ROBERT MAITLAND & SON.

New-York, 28th January, 1835.

We hereby concur in the foregoing opinions expressed in favor of the "Tobacco Inspection," and believe it has thus far been conducted by the present inspector with correctness and integrity.

(Signed,)

JOHN WILSON & Co.

New-York, January 31, 1835.

Mr. J. D. STEVENSON, Inspector.

Dear Sir—We have had some opportunity to judge of the effect of the inspection law of tobacco, and of your mode of conducting the same, and take great pleasure in assuring you of the great satisfaction which we have felt in the increased facilities we have derived from the same, and especially with the obliging manner in which your duties, as inspector, have been fulfilled.

The sales made by us have all been effected by your samples, and in no instance, to our knowledge, has any objection been made to the same, even after an examination of the hogshead; while on the contrary, the purchaser has often expressed the satisfaction which your inspection and your samples have afforded him.

We are respectfully, your ob't serv'ts,
(Signed,)

**DEPEYSTER & WHITMARSH,
HOWLAND & ASPENWALL,
THOMAS MAREAU,
JAS. HAMILTON & SON,
M. & R. MAURY.**

New-York, January 30, 1835.

J. D. STEVENSON,

Dear Sir—Having had tobacco inspected at your office at different times, we take great pleasure in bearing testimony to the impartial manner in which you perform your official duties, and also to the gentlemanly and frank manner at all times displayed in your intercourse with those having business with your office; and we have no hesitation in saying, that the establishment of the "Tobacco Inspection" gives great facilities both to the buyers and

sellers of that article; and we feel sure that all, or nearly all, in the trade agree with us in opinion.

We are, dear sir, very respectfully,
Your ob't serv'ts,

(Signed,)

CHAMBERLAIN, PHELPS & Co.

Mr. J. D. STEVENSON,

Dear Sir—The sales of tobacco made by us since the inspection law took effect have all been made by your samples, and so far as we know, the purchasers have been well satisfied with the same.

Some inconvenience has been experienced for the want of warehouses properly constructed, which we think will, in a great degree, be removed when those are obtained.

Yours respectfully,

(Signed,)

ROBERT & WILLIAMS.

New-York, 31 Jan. 1835.

New-York, 27 May, 1834.

Mr. J. D. STEVENSON, Inspector.

Sir—In answer to your request for our opinion of the law regulating the inspection of leaf tobacco in the city of New-York, and as to the effect the inspection may have on the trade to this port in general, we pray leave to say, we consider the law an equitable one, affording equal protection to all concerned; and from our personal observation, while witnessing the inspection of our own tobacco, we feel assured, if the inspection continues to be conducted with the same fairness, impartiality and promptness we have observed in yourself and associate, (Mr. Pearce,) it will greatly promote the interest of all concerned, and will induce many merchants, who at present dispose of their tobacco at other ports, to bring it here, and thus eventually make the city of New-York the greatest tobacco market in this country, for all kinds of that article grown in the United States. There is great care taken in drawing the samples, and returning into the cask all loose tobacco which falls out; and we have never seen hogsheads made in better order than ours, after having passed through the hands of your coopers; and we do consider the charge made for the services rendered, moderate.

Most respectfully, yours,

(Signed,)

V. DANIEL, of Hardensburg, Ky.

D. S. GOODLOE, Richmond, Ky.

S. D. JOHNSON, Martinsburg, Ohio.

STATE OF NEW-YORK.

No. 44.

IN SENATE,
January 29, 1835.

ANNUAL REPORT

Of George Seaman, late Inspector of Pot and Pearl
Ashes for the city and county of New-York.

TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.

Report of the late inspector of pot and pearl ashes for the city
and county of New-York, from the 1st day of January, 1834, to
the 21st day of March, inclusive, in the same year, viz:

Bbls.	Average price		Probable value.
	Pounds.	per 100 lbs.	
1,960 1st sort pot-ashes, containing	915,117	\$4 50	\$81,180 27
201 2d " "	93,522	3 75	3,507 07
45 3d " "	20,687	3 00	620 61
28 condemned pot-ashes, "	17,078	2 00	341 56
Scrapings,.....	19,160	2 50	579 00
864 1st sort pearl-ashes, containing	327,458	5 00	16,372 90
112 2d " "	44,157	4 25	1,876 50
5 3d " "	2,366	3 50	82 81
<u>3,235</u>	<u>1,439,545</u>		<u>\$54,460 91</u>

Fees chargeable on the above,.....	\$1,439 55
Received for storage,.....	604 75
	<u>\$2,044 30</u>

Expenses.

Store rent,.....	\$1,356 00
Pay of assistant inspectors and clerks,.....	516 00
Do. coopers,	296 00
Do. laborers,.....	208 50
Contingent expenses,.....	35 65
	<hr/>
	\$2,412 15
Deduct fees and emoluments,.....	2,044 30
	<hr/>
Loss to inspector,.....	<u>\$367 85</u>

GEORGE SEAMAN,
Late Inspector.

New-York, Jan. 1885.

STATE OF NEW-YORK.

No. 45.

IN SENATE,

January 29, 1835.

ANNUAL REPORT

Of Nathaniel Challes, Inspector of Lumber in the city of Troy.

TO THE LEGISLATURE OF THE STATE OF NEW-YORK.

The following is the report of Nathaniel Challes, inspector of lumber in the city Troy, for 1834.

Feet.	Per M.	Total value.	Fees.
81,039 clear pine,.....	\$29	\$2,350 03	
218,910 2d quality pine,.....	20	4,378 20	
120,353 3d ".....	15	1,940 29	
493,078 4th ".....	10	4,930 78	
			\$345 90
272,356 box boards,.....	10	2,723 56	68 10
208,096 thin white wood, superior,	15	1,621 44	40 50
2,834 1st quality chair plank,....	35	99 19	1 88
3,656 2d " "....	25	91 40	2 36
42,250 house beams,.....	10	422 50	10 62
22,419 hewn timber, 1st qual. pine,	16 cts.	4,733 28	59 16
7,164 " 2d ".....			
17,114 " measured only,	16 cts.	1,738 24	21 38
23,326 oak ".....	21 cts.	4,898 46	29 15
13,306 maple joist,.....	\$12	159 67	3 38
4,788 1st quality ship plank,....	34	162 79	
4,154 2d ".....	24	99 69	
			3 37

Amount carried forward, \$

Amount brought forward, \$

Feet.			
10,169 white ash,.....	\$12	\$122 09	3 90
			<hr/>
			\$589 70
Deduct cash paid help,.....			15 37
			<hr/>
			<u>\$574 33</u>

NATH'L CHALLES, *Inspector.*

Troy, 6th Jan. 1835.

STATE OF NEW-YORK.

No. 46.

IN SENATE,

January 29, 1835.

ANNUAL REPORT

**Of Moses J. Winne, an Inspector of Lumber in the
city of Troy.**

**TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.**

The undersigned, an inspector of lumber in the city of Troy, reports, that the annexed schedule presents a correct statement of the quantity of lumber measured and inspected by him during the past year, and an estimate of the average prices of the same, according to the best of his knowledge and belief.

Feet.	Per M.
31,316 1st quality pine lumber,.....	\$30 00
54,414 2d "	20 00
75,531 3d "	15 00
670,244 4th "	10 00
521,791 surface,.....	10 00
3,052 cherry lumber, merchantable,.....	25 00
21,483 Ash lumber, merch't.....	13 50
37,731 maple scantling, merch't.....	12 50
35,698 pine house beams, "	12 00
5,386 bass wood half-inch, merch't.....	8 00
88,486 white wood, " "	15 50
6,261 1st quality white wood chair plank,...	33 00
7,632 2d " " " ...	23 00
4,259 hemlock house beams, merch't.....	8 00

Fees for measuring and inspecting the same,.... \$467 68

MOSES J. WINNE, *Inspector.*

Troy, December 1, 1834.

[Senate No. 46.]

STATE OF NEW-YORK.

No. 47.

IN SENATE,

January 29, 1835.

ANNUAL REPORT

**Of Edward S. Fuller, an Inspector of Lumber for the
city of Troy.**

**TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.**

The undersigned, an inspector of lumber for the city of Troy, reports, that the annexed schedule presents a correct statement of the quantity of lumber measured and inspected by him during the past year, and an estimate of the average prices of the same, according to the best of his knowledge and belief.

Feet.		Per M.
45,418	1st quality pine lumber,.....	\$30 00
134,146	2d ".....	20 00
120,755	3d ".....	15 00
406,735	4th ".....	10 00
333,954	surface, ".....	10 00
1,298	cherry lumber, merch't.....	25 00
258	curl maple lumber, merch't.....	50 00
4,075	oak lumber, ".....	20 00
1,994	cubic feet, pine hewn timber,.....	1 25
306	walnut lumber, merch't.....	80 00
5,647	maple scantling, ".....	12 50
7,850	pine house beams, merch't.....	12 00
9,067	bass wood, half-inch, merch't.....	8 00
14,143	white wood, " ".....	14 00
4,217	1st quality white wood chair plank,...	33 00
3,079	2d " " ".....	23 00

Feet.		Per M.
57,643	ash lumber, merch't.....	\$13 50
24,218	hemlock house beams, merch't.....	8 00

Fees,..... \$388 30

EDWARD S. FULLER, *Inspector.*

Troy, Nov. 7, 1834.

STATE OF NEW-YORK.

No. 48.

IN SENATE,

February 12, 1835.

REPORT

Of the Comptroller, in relation to the Safety Fund, &c.

**COMPTROLLER'S OFFICE, }
Albany, Feb. 11, 1835. }**

The Comptroller, in answer to a resolution of the Senate of the 3d inst. requiring a statement of "the amount of moneys already paid towards the Bank Fund, specifying the capital of each bank, the whole amount paid by each, and the number of payments made by each,"

RESPECTFULLY REPORTS:

That a statement has been prepared, and is herewith submitted, which exhibits, in corresponding columns, the capital of each bank embraced within the Safety Fund system, the contributions in each year, from 1830 to the present time, and the total amount paid by each bank from the time it became liable to contribute to the Safety Fund up to and including the instalment due on the first of January, 1835.

The contributions to the Safety Fund for the last five years have been as follows, viz:

For the year 1830,	\$26,983 67
" 1831,	62,627 62
" 1832,	94,295 60
" 1833,	105,139 54
" 1834,	118,048 58

Total amount paid into the treasury, \$407,094 99
[Senate No. 48.] **1**

The sum paid into the treasury for the instalment due on the 1st of January last, will be invested in State stock, bearing interest at the rate of 4½ per cent, according to the provisions of the 5th section, chap. 274, of the Laws of 1883.

The condition of the investments, therefore, may be stated as follows, viz:

In Canal stock, at 5 per cent,	\$8,082 40
Astor stock, "	92,000 00
State stock, for loan to General Fund, at 4½ per ct.,	296,074 57
	<hr/>
	\$396,156 97
Due from revenue to capital,	6,041 21
Money in the treasury,	4,896 81
	<hr/>
	<u>\$407,094 99</u>

When the contributions required of the banks under the Safety Fund system are completed, it is estimated that the total amount of the Safety Fund will be \$880,000.

The revenue of the fund for the present year, it is estimated, will pay the salaries of the Commissioners, reimburse the amount due from revenue to capital, and produce a surplus of about \$4,000.

Respectfully submitted.

A. C. FLAGG.

STATEMENT,

Showing the amount of monies paid towards the Bank Fund, the amount of capital of each bank,
and the whole amount paid by each.

Counties and names of Banks.	Capital.	Contributions.					Total amount of contributions.
		1830.	1831.	1832.	1833.	1834.	
<i>City and County of Albany.</i>							
Bank of Albany,	240,000	1,200 00	1,200 00	1,200 00	1,200 00	1,200 00	6,000 00
Canal Bank,	300,000	1,333 33	1,500 00	1,500 00	1,500 00	1,500 00	7,333 33
Mechanics' and Farmers' Bank,	442,000	2,138 18	2,210 00	2,210 00	2,210 00	2,210 00	10,978 18
New-York State "	369,600	1,682 94	1,734 28	1,766 94	1,766 94	1,766 94	8,718 04
Albany City "	500,000	.....	.....	.....	.....	625 00	625 00
<i>Broome County.</i>							
Broome County Bank,	100,000	.....	83 33	500 00	500 00	500 00	1,583 33
<i>Cayuga County.</i>							
Bank of Auburn,	200,000	1,000 00	1,000 00	1,000 00	1,000 00	1,000 00	5,000 00
Cayuga County Bank,	250,000	.....	.....	.....	455 48	1,250 00	1,705 48
<i>Chautauque County.</i>							
Chautauque County Bank,	100,000	..	.....	482 20	500 00	500 00	1,482 20
<i>Chenango County.</i>							
Bank of Chenango,	120,000	600 00	600 00	600 00	600 00	600 00	3,000 00
<i>Columbia County.</i>							
Hudson River Bank,	150,000	116 44	600 00	645 84	750 00	750 00	2,762 28

Statement.—Continued.

Counties and names of Banks.	Capital.	Contributions.					Total amount of contributions.
		1830.	1831.	1832.	1833.	1834.	
<i>Dutchess County.</i>							
Bank of Poughkeepsie,	100,000	70 82	500 00	500 00	500 00	500 00	2,070 82
Farmers' and Manufacturers' Bank, ..	300,000	.....	.....	.....	.....	.....
<i>Erie County.</i>							
Bank of Buffalo,	200,000	.....	333 33	1,000 00	1,000 00	1,000 00	3,333 33
Commerce	500,000	.....	.....	.....	.....	465 75	465 75
<i>Essex County.</i>							
Essex County Bank,	100,000	.....	.....	58 90	500 00	500 00	1,058 90
<i>Genesee County.</i>							
Bank of Genesee,	100,000	395 83	500 00	500 00	500 00	500 00	2,395 83
<i>Greene County.</i>							
Catakill Bank,	150,000	686 66	750 00	750 00	750 00	750 00	3,636 66
Tanner's "	100,000	.....	166 67	500 00	500 00	500 00	1,666 67
<i>Herkimer County.</i>							
Herkimer County Bank,	200,000	.....	.....	.....	341 55	1,000 00	1,341 55
<i>Jefferson County.</i>							
Jefferson County Bank,	60,000	400 00	400 00	400 00	400 00	400 00	2,000 00
Sackett's Harbor "	200,000	.....	.....	.....	.....	151 44	151 44
<i>Kings County.</i>							
Brooklyn Bank,	200,000	.....	.....	175 00	1,000 00	1,000 00	2,175 00

Statement.—Continued.

Creditor and names of Banks.	Capital.	Contributions.					Total amount of contributions.
		1830.	1831.	1832.	1833.	1834.	
<i>Niagara County.</i>							
.....	100,000	443 06	500 00	500 00	500 00	500 00	2,443 06
<i>.....</i>							
Bank of Utica,	600,000	2,500 00	3,000 00	3,000 00	3,000 00	3,000 00	14,500 00
Bank of Rome,	100,000	.....	.....	35 62	500 00	500 00	1,035 62
<i>Orleans County.</i>							
Orleans Bank,	200,000	.....	.....	.....	.....	291 66	291 66
<i>Oneida County.</i>							
Bank,	150,000	187 50	750 00	750 00	750 00	750 00	3,187 50
<i>.....</i>							
<i>Ontario County.</i>							
Ontario Bank,	150,000	.....	.....	94 52	750 00	750 00	1,594 52
Bank of Geneva,	500,000	2,500 00	2,500 00	2,500 00	2,500 00	2,500 00	12,500 00
<i>Orange County.</i>							
Orange County Bank,	400,000	2,000 00	2,000 00	2,000 00	2,000 00	2,000 00	10,000 00
<i>.....</i>							
Bank of Newburgh,	105,660	.....	.....	.....	440 25	528 30	968 55
Highland Bank,	140,000	616 67	700 00	700 00	700 00	700 00	3,416 67
<i>Oswego County.</i>							
Oswego Bank,	200,000	.....	.....	.....	.....	291 66	291 66
<i>.....</i>							
Oswego Bank,	150,000	.....	211 64	750 00	750 00	750 00	2,401 64
<i>.....</i>							
Central Bank,	120,000	497 75	600 00	600 00	600 00	600 00	2,897 75

28

Otsego County Bank,	100,000	72 43	500 00	500 00	500 00	500 00	2,072 68
<i>Rensselaer County.</i>							
Farmers' Bank,	278,000	1,390 00	1,390 00	1,394 00	1,390 00	1,390 00	6,950 00
Merchants' and Mechanics' Bank,	300,000	1,312 50	1,500 00	1,500 00	1,500 00	1,500 00	7,312 50
Bank of Troy,	440,000	1,943 34	2,200 00	2,200 00	2,200 00	2,200 00	10,743 34
Bank of Lansingburgh,	120,000	.....	.....	300 00	600 00	600 00	1,500 00
Troy City Bank,	300,000	.....	.....	.....	400 27	1,500 00	1,960 27
<i>Saratoga County.</i>							
.....	100,000	41 67	500 00	500 00	500 00	500 00	2,041 67
.....	200,000	.....	.....	.....	416 67	1,000 00	1,416 67
.....	150,000	.....	.....	.....	663 70	750 00	1,413 70
.....	165,000	825 00	825 00	825 00	825 00	825 00	4,125 00
.....	150,000	.....	.....	.....	750 00	750 00	1,500 00
Schenectady Bank,	100,000	437 00	500 00	500 00	500 00	500 00	2,437 00
<i>St. Lawrence County.</i>							
Ogdensburgh Bank,	200,000	.....	.....	.....	191 78	1,000 00	1,191 78
<i>Tioga County.</i>							
Chemung Canal Bank,	200,000	791 67	1,000 00	1,000 00	1,000 00	1,000 00	4,791 67
<i>Tompkins County.</i>							
Bank of Ithaca,	100,000	.....	100 00	500 00	500 00	500 00	1,600 00
<i>Ulster County.</i>							
Ulster County Bank,	100,000	.....	142 46	500 00	500 00	500 00	1,642 46
<i>Washington County.</i>							
Whitehall Bank,	100,000	350 68	500 00	500 00	500 00	500 00	2,350 68
<i>Wayne County.</i>							
Wayne County Bank,	100,000	.....	.....	.....	.....	.....	.....

Statement.—Continued.

Counties and names of Banks.	Capital.	Contributions.					Total amount of contributions.
		1830.	1831.	1832.	1833.	1834.	
<i>Westchester County.</i>							
Westchester County Bank,	200,000	.....	.....	.....	339 72	1,000 00	1,339 72
<i>Yates County.</i>							
Yates County Bank,	100,000	.....	145 84	500 00	500 00	500 00	1,645 84
	26,431,460	26,983 67	62,627 62	94,295 60	105,130 54	118,048 56	407,094 99

STATE OF NEW-YORK.

No. 49.

IN SENATE,

January 31, 1835.

ANNUAL REPORT

Of James Holliday, Jr., Inspector of leather in the city of Troy.

TO THE LEGISLATURE OF THE STATE OF NEW-YORK.

James Holliday, jun., one of the inspectors of leather for the city of Troy, respectfully submits to your honorable body the following report of his inspection for the year ending December 31, 1834.

	Sides.	Pounds.	Per lb.	Total value.
Best,	193	3,149½	22 cts.	\$692 89
Good, 1st quality,	628	9,943	18	1,860 74
“ 2d “	1,093	16,628½	17	2,826 54
“ 3d “	519	4,996½	16½	823 42
“ 4th “	260	6,728½	16	1,076 48
“ 5th “	829	11,608	15	1,741 28
“ 6th “	529	7,626	14	1,067 64
Damaged, 1st quality, ..	19	211	13	27 42
“ 2d “ ..	100	1,471	12	176 61
“ 3d “ ..	416	57,411½	10	5,741 13
Bad,	95	1,243	14	174 02
	<u>4,679</u>	<u>121,016</u>		<u>\$16,008 17</u>

Fees,

\$187 16

Deduct cash paid help, ..

21 50

\$165 66

JAMES HOLLIDAY, Jr., *Inspector.*

Troy, Jan. 18, 1835.

[Senate No. 49.]

STATE OF NEW-YORK.

No. 50.

IN SENATE,

January 31, 1835.

SECOND ANNUAL REPORT

Of the Trustees of the Greenwich Savings Bank, for
the year 1834.

Pursuant to the provisions of an act, entitled "An act to incorporate the Greenwich Savings Bank," the trustees now beg leave to present their second

REPORT, AS FOLLOWS:

First.—That the trustees have received from one thousand three hundred and nine depositors, from January first, 1834, to the 31st of December, 1834, the sum of eighty-nine thousand nine hundred and fifty-nine dollars and thirty-nine cents, in the following manner:

In the month of January,	from 136 depositors,	\$13,153 51
" " February,	" 84 "	2,826 70
" " March,	" 117 "	7,327 66
" " April,	" 72 "	4,598 30
" " May,	" 84 "	6,770 56
" " June,	" 160 "	9,355 10
" " July,	" 94 "	6,570 25
" " August,	" 120 "	10,516 78
" " September,	" 123 "	8,185 48
" " October,	" 72 "	3,472 65
" " November,	" 71 "	3,890 19
" " December,	" 176 "	18,844 12
	<hr/> 1,809	<hr/> \$89,959 29

of which number 400 are new accounts opened with the bank,
and 909 are re-deposits.

1,309

Second.—That the sum of forty-two thousand three hundred and forty-five dollars and twenty-five cents, has been drawn out by five hundred and ninety-six depositors. Of this number, one hundred and fifty have closed their accounts.

In the month of January,	paid	47 drafts	....	\$2,947 09
“ “ February,	“	41	“	2,423 12
“ “ March,	“	55	“	6,437 42
“ “ April,	“	58	“	6,492 42
“ “ May,	“	47	“	2,459 86
“ “ June,	“	50	“	2,843 75
“ “ July,	“	55	“	3,871 77
“ “ August,	“	55	“	2,902 33
“ “ September,	“	37	“	2,089 89
“ “ October,	“	61	“	4,945 79
“ “ November,	“	50	“	3,047 17
“ “ December,	“	40	“	1,884 64
		<u>596</u>		<u>\$42,345 25</u>

Third.—The depositors have been classed under the following heads of professions and occupations.

Apprentice,	1	Collector,	1
Boarder,	1	Cabinet-makers,	6
Bleacher,	1	Cordial & liquor dealer, .	1
Boarding-house keepers, .	4	Coal dealer,	1
Broker,	1	Clerk in post office,	1
Boot-maker,	1	Card factory man,	1
Brass turner,	1	Coachman,	1
Blind-maker,	1	Comb-maker,	1
Bakers,	6	Cordwainers,	2
Blacksmiths,	4	Cap-maker,	1
Bricklayer,	1	Dyer,	1
Builder,	1	Domestics,	20
Carpenters,	32	Deputy keeper penitenti-	
Cook,	1	ry,	1
Copper-plate printer,	1	Embroiderer,	1
Clerks,	15	Farmers,	8
Cartmen,	7	Fisherman,	1

Gardeners,	4	Servants,..	5
Grocers,	14	Sawyers,	3
Gilders,	2	Stone cutters,.....	10
Gate manufacturer,	1	Shoe-binder,.....	1
Glover,	1	Store keeper,.....	1
House-keeper,	1	Sheet-iron maker,.....	1
House carpenters,	3	Seamstresses,	11
House maid,	1	Silversmith,	1
Jeweller,	1	Sweep driver,	1
Keeper of State Prison,.	1	Sexton of church,.....	1
Laborers,	14	Sash-makers,	2
Laboring woman,.....	1	Surgeon U. S. N.....	1
Masons,	23	Shop-keeper,.....	1
Marble cutters,	2	Student of divinity,.....	1
Marble polishers,.....	2	Sugar refiner,.....	1
Merchants,	6	Ship Carpenter,.....	1
Manufacturer,	1	Slater,	1
Milkmen,.....	3	Ship master,.....	1
Matron of Magdalen in-		Stock maker,	1
stitute,	1	Tailors,	11
Machinists,	2	Tailoresses,	14
Milliners,	3	Teller,	1
Moulder,	1	Turner,	1
Mate of vessel,	1	Toll gatherer,	1
Miner,	1	Thread winder,.....	1
Notary public,.....	1	Teacher,	1
Night Scavenger,.....	1	Tin plate worker,.....	1
Nurses,	2	Umbrella-maker,	1
Oil pedler,.....	1	Victuallers,	3
Painters,	2	Varnishers,	2
Pavers,	2	Weavers,.....	3
Pedlers,	3	Wheelwrights,	3
Physicians,	4	Waiters,	2
Portrait painter,.....	1	Watchmaker,	1
Printers,	4	Water carrier,.....	1
Plaisterers,	4	Not described, being mi-	
Paper carrier,.....	1	nors, orphans, &c.	50
Porter,	1		<hr/>
Porter-house keeper,....	1		400
Shoemakers,	12		<hr/>

DESCRIPTION OF PERSONS.

Widows,	21	Trustees, deposits in trust	
Minors,	17	for children, orphans,	
Single women,	48	&c.,	50
Coloured persons,.....	8		<hr/>
			144

Fourth.—The deposits have been made in the following sums:

From	1 to	5 dollars,.....	139
"	5 to	10 "	178

From	10 to	20 dollars,.....	233
"	20 to	30 ".....	153
"	30 to	40 ".....	85
"	40 to	50 ".....	119
"	50 to	60 ".....	57
"	60 to	70 ".....	20
"	70 to	80 ".....	29
"	80 to	90 ".....	16
"	90 to	100 ".....	83
"	100 to	200 ".....	115
"	200 to	300 ".....	36
"	300 to	400 ".....	20
"	400 to	500 ".....	12
"	500 to	600 ".....	4
"	600 to	700 ".....	3
"	700 to	800 ".....	3
"	1,000 to	2,000 ".....	2
"	2,000 to	3,000 ".....	1
"	3,000 to	4,000 ".....	1
			<u>1,309</u>

RECEIPTS.

From July 1, 1833, to Jan. 1, 1834, by 888 dep..	\$78,099 09
From Jan. 1, 1834, to Jan. 1, 1835, by 1,309 dep..	89,959 39
	<u>2,197</u>
	<u>\$168,058 48</u>

REPAID.

From July 1, 1833, to Jan. 1, 1834, to 107	
drafts,	\$7,111 25
From Jan. 1, 1834, to Jan. 1, 1835, to 596	
drafts,	42,845 25
	<u>49,456 50</u>
Total drafts, 703.	
	<u>Balance, \$118,601 98</u>

The funds of the institution are invested in, and consist of,

1st. Funded debt of Pennsylvania 5 per cents, at the	
par value,.....	\$20,000 00
1/2 per cent premium and charges paid on do.....	75 04

Carried forward,.. \$

	Brought forward,.....	\$
Funded debt of Ohio canal 6 per cts. par value,	15,000	00
17 per cent premium and charges on do.....	2,593	87
2d. Temporary loan to the Greenwich bank, at the rate of 5 per cent per annum,.....	82,489	20
	<u> </u>	
	\$120,158	11
	<u> </u>	

Present value of Pennsylvania 5 per cents is..... 108
“ Ohio canal 6 per cents is 122½

GEORGE SUCKLEY, *Pres't.*
B. B. HOWELL, *Sec'y.*

[t. s.]

January 1, 1835.

STATE OF NEW-YORK.

No. 51.

IN SENATE,

February 2, 1835.

ANNUAL REPORT

**Of Thomas Gardner, an Inspector of Beef and Pork
in the city of New-York.**

**TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.**

In conformity with the provisions of the laws regulating the inspection and repacking of beef and pork, I hereby report, that the quantity, quality and value of the beef and pork inspected and repacked by me, from the 1st day of January, 1834, up to the 1st day of January, 1835, in the city of New-York, are as follows:

Bbls.	Per bbl.	Total value.
1,971 mess pork,	\$14	\$27,594 00
2,468 prime pork,	9½	23,446 00
34 clear mess pork,	16	544 00
400 mess beef,	9	3,600 00
640 prime beef,	6	3,840 00
55 rusty prime pork,	8½	453 75
20 rusty mess do.	11	230 00
68 thin mess do.	13	884 00
47 butts and rump pork,	9½	446 50
140 soft mess pork,	11½	1,610 00
36 head and shoulders,	6	216 00
17 neck pork,	8	136 00
108 soft prime pork,	8½	918 00

Carried forward, \$

Bbls.			Total value.
	Brought forward,....	\$	
40	sour mess pork,.....	91	380 00
107	shins and heads, refuse,.....	5	533 00
<hr/>			
6,181			
<hr/>			
151	half barrels mess beef,.....	5	755 00
20	" prime pork,.....	5	100 00
<hr/>			
171			965,488 25
<hr/>			

Inspection fees, 15 cts. per barrel,..... \$922 65
 Cooperage, trimming and pickling, 10 cts.. 615 10
 Fees per half bbl. 12 cts. trimming and pick-
 ling, 10 cents,..... 37 62

 \$1,575 37

THOMAS GARDNER, *Inspector.*

STATE OF NEW-YORK.

No. 52.

IN SENATE,

February 2, 1835.

ANNUAL REPORT

Of Henry Salsbury, Inspector of Lumber in the city
of Albany.

TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.

The subscriber, one of the inspectors of lumber of the city and
county of Albany, respectfully reports, that he has measured and
inspected the following lumber in the year 1834, ending on the
31st day of December, together with average prices of the same.

Feet.		Per M.	Total value.
1,316,953	1st, 2d and 3d qualities pine plank and boards,	\$22	\$28,972 96
1,639,859	4th quality pine boards and plank,	10	16,398 59
223,225	† 1st, 2d and 3d qualities pine bds.	18	4,018 66
490,894	† 4th quality pine boards,	9	4,418 04
40,796	maple boards and joist,	10	407 96
188,733	white wood boards,	11	1,566 88
8,545	1st quality white wood plank,	32	273 34
7,379	2d “ “	20	167 58
38,730	beam timber,	10	387 30
43,883	ash plank,	14	614 36
27,527	oak plank,	20	550 54
25,063	cherry boards and plank,	20	501 26
<hr/> 3,997,587			<hr/> \$58,227 47 <hr/>

Fees received, \$1,262.30

HENRY SALSBUY, *Inspector.*

Albany, January 23, 1835.

[Senate No. 52.]

STATE OF NEW-YORK.

No. 53.

IN SENATE,

February 5, 1835.

ANNUAL REPORT

Of the Trustees of the Sailors' Snug Harbor.

To the Honorable the Senate of the State of New-York.

The Trustees of the Sailors' Snug Harbor, in compliance with a standing resolution of your honorable body, have the pleasure of presenting their annual accounts; shewing the receipts and expenditures from the 31st December, 1833, to 31st December, 1834; also the present state of the funds and estimated income for 1835.

There is now in the Snug Harbor, fifty-four aged and disabled seamen, who are entitled to support under the provision of Mr. Randall's will; and the doors of the Snug Harbor are open to further applicants.

Those aged men are plentifully fed, comfortably clothed, and supplied with every thing requisite to soothe their declining years.

Respectfully,

Your ob't servant,

C. W. LAWRENCE, *Pres't.*

New-York, January 15, 1835.

REPORT, &c.



To the Trustees of the Sailors' Snug Harbor,

The annual report of the treasurer, shewing the receipts and expenditures on account of the trust, from the 31st December, 1833, to 31st December, 1834; also the present state of the funds, and estimate of income for 1835, is respectfully submitted.

RECEIPTS.

Ground rent collected in the 15th ward,.....	\$17,925 50
House rent " " 	462 50
Store and ground rent collected in the 1st ward,...	2,342 50
Interest on bond and mortgage,.....	2,817 19
Dividends on bank and insurance stock,.....	2,929 24
Jno. C. Morrison's note paid,.....	4,320 00
James Whitte's bond and mortgage paid in,.....	2,500 00
Iron pipes sold to N. Y. gas company,.....	41 69
Boarding carpenters and masons at the asylum,....	95 19
Outstanding rents and interest of 1833 collected,...	595 52½
Sundry produce sold from the farm,.....	320 35
Damage by fire, from Farmer's Fire and Loan Co.	22 75
Sundries sold Seaman's Fund retreat,.....	181 12
59 transfers of leases and 10 certificates of approval,	187 00
Shingles remaining from the out-building sold,.....	30 60
Brick sold to G. Thompson,.....	8 50
Balance of cash on hand 31st Dec. 1833,.....	2,011 96
	<hr/>
	\$36,756 61½
	<hr/>

DISBURSEMENTS.

Corporation taxes, assessments and sundry repairs,.	\$1,424 23
Loans on bond and mortgage,.....	15,500 00
Building, bake house, store house, wood and coal house,	2,868 00
	<hr/>

Carried over,

Brought forward,..... \$	
Main building,.....	1,281 88
On acct. of farm purchased of Soria & Co.....	500 00
Drains from the main building to the river,.....	970 72
Covering the reservoir,.....	217 82
Wm. Post for paints, oils, &c.....	119 06
Repairing the columns in front of the building,....	251 96½
Blasting rocks, fencing, and labor on the farm,....	668 12
Manure supplied in 1882, and freight of 1,882 loads supplied in 1883,.....	481 91
Farmer's and Gardener's wages, (twelve months,)..	418 00
Erecting monument to the memory of Mr. Randall,	1,477 49
	<hr/>
	\$25,679 14½

Supplies, &c.

Thomas & Son's bill, kitchen furniture,..	\$55 44
Wetmore's bill, crockery,.....	69 84
Fardon & Son's bill, ravens duck,.....	56 36
Crocheron for supply of wood;.....	38 00
Stokes and Co's. bill of coal,.....	378 00
L. Roslin, white sand;.....	18 11
Duvall's bill, clothing,.....	420 00
G. Burnham's bill, flannel,.....	92 82
A. & T. Haight's bill, sheetings,.....	60 39
T. Russel, 1 cask beans,.....	7 94
Latourette, for 5 doz. black stocks,.....	17 50
R. Sedgewick, 38 bbls. flour,.....	198 89
Matron, steward and nurses' wages,....	581 00
Medicine and attendance,.....	139 11
Mersereau, for supply of groceries,.....	907 38
Bush, for supply of bread,.....	353 50
Durbrow, for supply of beef,.....	573 10
Fullager's bill of boots and shoes,.....	84 52
Ostrander, for 2 bbls. pork,.....	21 94
Making sundry wearing apparel,.....	11 50
John L. Riker, for official service,.....	339 20
Aymar, for an American ensign, twine for gill net, &c.....	70 39
Stock for the farm,.....	40 00
Westerfield, for iron pipes,.....	46 66
	<hr/>
	\$4,581 07
	<hr/>
Carried forward,	\$30,260 21½

Brought forward,.....	\$30,260 21½
D. P. Riker, commissioner's fees,.....	87 00
Betsey Shields, legacy,.....	100 00
New-York Gas Co. for iron pipes, brass cocks, &c.....	87 84
Petty cash,.....	132 01
Removing remains of Mr. Randall,.....	27 00
Pass tickets, freight, &c.....	68 00
Regulating the bank,.....	343 75
Salaries,.....	1,700 00
Furniture and fixtures,..	109 00
Premium of insurance,.....	91 60
Setting out sundry fruit and forest trees,	135 37
Incidental expenses,.....	429 20
	<hr/>
	\$3,308 77
Cash, balance on 31st Dec. 1834,.....	3,187 63
	<hr/>
	<u>\$36,756 61½</u>

Outstanding rents and interest, 1st Nov. 1834.

Rents.

Bridget Cook,.....	\$68 00
J. Labagh and others,.....	350 00
R. G. Day,.....	18 75
J. P. Allison,.....	36 00
P. Storm,.....	375 00
Jas. Houston,.....	50 00

Interest.

J. P Allison,.....	140 00
B. Cook,.....	9 00

\$1,041 75

Statement of the present state of the Funds at par value.

326 shares Manhattan company, at \$50 per share,.	\$16,300 00
687 " Mechanics' bank, 25 "	17,175 00
120 " Merchants' bank, 50 "	6,000 00
25 " Mutual Ins. Company, 50 "	1,250 00
Loans on bond and mortgage,.....	57,800 00
Outstanding rents and interest, as above,.....	1,041 75
Cash. Balance on hand 31st Dec. 1834,.....	3,187 63
	<hr/>
	<u>\$102,754 38</u>

The Annual Income and Receipts for the year 1835, are estimated as follows :

Ground rent 15th ward,.....	\$18,218 25
House rent, 3 tenements in do.....	750 00
House and store rent, 1st ward,.....	3,072 50
Dividends on bank and insurance stock, estimated according to last dividend,.....	2,929 24
Interest on bonds and mortgages,.....	3,508 00
Outstanding rents and interest,.....	1,041 75
	<hr/>
	\$29,519 74
	<hr/>

JNO. WHETTEN, *Treasurer.*

New-York, 15th January, 1835.

STATE OF NEW-YORK.

No. 54.

IN SENATE,

February 21, 1835.

REPORT

Of the select committee on sundry petitions of merchants, traders, and others, from the cities of New-York, Albany, Troy and Brooklyn, and from the counties of Orange, Dutchess and Westchester.

Mr. Macdonald, from the select committee to which was referred sundry petitions of merchants, traders, and others, from the cities of New-York, Albany, Troy and Brooklyn, and from the counties of Orange, Dutchess and Westchester, praying for the passage of a law to regulate the weighing of merchandize, &c., in the city of New-York, and for the appointment of a weigher-general to superintend the same,

REPORTED:

That the petitioners complain of the present system for the weighing of merchandize in that city, as entirely insufficient, and as requiring amendment and alteration. The person having merchandize to sell, usually selects his own weigher, whom he engages to do all his weighing, while the buyer, who is obliged by law to pay half the weigher's fees, never perhaps even sees the weigher. The weigher, thus knowing not the purchaser, but looking entirely to the seller for business and support, who engages and pays for his services, is not deemed sufficiently independent to do impartial justice between them.

The petitioners complain that the business of weighing is very unequally distributed amongst the weighers, and that while
[Senate No. 54.]

some of them, through favor, or other cause, become rich, others are unable to make a livelihood, though in all respects equally industrious and deserving.

They therefore pray that a law may be passed, directing the appointment of a certain and sufficient number of weighers, and also of a competent person to be known as weigher-general, who shall superintend the weighing business; and that this officer shall keep an office where all persons desiring to have merchandize weighed may apply; that he shall equalize the business of weighing among the said weighers; and that he shall keep a register of all merchandize so weighed, with the weight of the same, which shall be open to the inspection of any person having an interest therein.

The committee are informed that heavy and bulky articles are often found to fall short of the weight marked and charged, and that this has been a frequent subject of complaint. In many cases, and probably in most, the loss has been so inconsiderable as to be disregarded by the purchaser, and placed to the charge of accident. But latterly the frequent occurrence of these little losses has excited attention, and the purchaser has been led to doubt the correctness of the weigher's marks. In some cases, the loss of weight has been very considerable, so as to cause difficulty, and require compensation to the purchaser.

A number of the petitioners are known to the members of this committee, as merchants of respectability, and they have conversed with several disinterested gentlemen, who vouch for the truth of the above statement. There can be no doubt, therefore, from the representations thus made to the committee, that articles are often found to fall short of the weight marked and charged; and though in most instances, such difference may be of inconsiderable amount, still it is an evil which should be corrected if possible.

It is represented to be a common practice amongst weighers, for the purpose of securing employment, to underbid one another, and frequently to weigh for their employer at a sum much less than the legal fees. But the employer charges full fees to his consignee, or the buyer, as the case may be, and pockets the difference. It is hardly necessary to remark, that the weigher, who would resort to these means to obtain employment, could scarcely be considered beyond the reach of other means to oblige his employer. His ne-

cessities might tempt him, more than the desire for gain, from the line of duty.

A few instances of abuses under the present system, will be given, from letters which have been furnished to the committee.— A weigher is employed as a clerk in a large establishment, at a salary of \$500, together with one-fourth of the fees for the weighing done there. His employer pockets the other three-fourths of the weigher's fees, amounting perhaps to two or three thousand dollars a year. Another house is mentioned, which sells about 30,000 bales of cotton annually, upon which the weigher is compelled to throw off two cents on a bale, of his fees, and thus the house, which charges full fees to the planter, pockets \$600 a year out of the poor weigher.

A merchant writes, that at one time a ton of merchandize which he had purchased, was found to fall short upwards of 100 lbs. from the weigh-master's certificate; and that he was put to considerable trouble to get this amount deducted from the bill. Another mentions the loss of 200 lbs. weight on a lot of Spanish tobacco, at 20 cents a pound, which he made appear so plain to the seller, that the requisite deduction was made.

Many of the weighers complain that they are often urged to weigh close, and told that if they do so as much will be saved to the employer as will pay the expense of weighing. Sometimes they are requested to weigh with a standing beam, (horizontal or equipoised,) instead of allowing down weight, as is proper and usual; and for refusal to do so they are dismissed, or never again employed by the same person. They complain that for fear of losing custom they do not feel free to speak and act as they should; and that they have frequently lost employment, by reason of doing what from their oaths and in their consciences they were bound to do.

A weigher writes that he was called upon by the purchaser of 200 bundles of hay, upon an agreement between the buyer and the farmer that 20 bundles were to be taken out promiscuously and weighed, and that the whole 200 bundles were to be estimated at the average weight thus obtained. When he commenced weighing, the purchaser requested him to select the lightest bundles, and take no account of those that held out, which request he did not comply with. He however says that he calculated the

loss to the farmer, if he had followed the directions of his employer, and found that it would have been from \$55 to \$60. At another time he was employed to weigh 75 bales of cotton, and was requested to use a standing beam, instead of down weight, as otherwise his employer told him there would be a loss on the sale. The difference in this case between a standing beam and down weight, (about two pounds,) would be 150 pounds of cotton, equal in value to \$27. The next time he was called upon by the same person was to weigh a lot of hay, under circumstances similar to the first case, but with positive orders to select the lightest bundles. This he refused to do, saying to his employer that he was under oath and could not; and in consequence was never employed again by this person.

A person concerned in the foundry business complains of short weight by the returns of the city weighers, which sometimes he could get allowed to him, and sometimes could not, from the seller. He says he has purchased iron at the weigh-master's certificate, when the same had been weighed by a clerk or other person, employed by the weigher, who himself had never seen it.

A dealer in stoves says that so frequent and great injustice had been done him, by weigh-masters in the employ of those of whom he purchased, that he had determined not again to buy by weight.

A wholesale and retail grocer, complaining of short weight, says that the petition now before the Legislature suggests the proper remedy "for this so frequent evil, by making the weigher independent of those who expect *partiality* in return for *patronage*."

A gentleman engaged in pretty extensive mercantile business in the country, now a member of the other House, mentioned incidentally to one of this committee that the impositions in short weight had been so frequently practised upon him, in the article of sugar, that he had determined some time since to have the sugars which he should purchase put into barrels, so that he might hold the seller liable, without any reference to a weigh-master's certificate.

A large house in the city procured the appointment of one of their clerks, (in their service at a fixed salary,) as a weigh-master, without his request or knowledge. Whether he gets the whole or only a part of the fees is not known, but it is very likely that,

as in several other avowed cases, so in this, the weigher only receives a portion of the fees, while his employers add the residue to the profits of their house. This weigher surely is not in a situation proper to render justice impartially between his employers and those to whom they sell, or of whom they purchase, nor can his appointment be commended as a discreet or even safe exercise of power.

There are now in the city of New-York some fifty or sixty weigh-masters, which is deemed by far too great a number, because it leads to the evils complained of, by inducing to unworthy means in order to procure business. Some of them, as may have been seen, are in full employment, while others, who will not or can not resort to the same means, get little or nothing to do.

These weighers are now, as it appears, unconnected with and independent of each other, and but illy regulated, or disregarding in a great measure, such regulations as have been adopted for their government. A person desiring to have a small quantity of merchandize weighed, in a case where the fees are inconsiderable, is frequently put to much inconvenience and trouble, before he can find a weigher who will attend to it.

By an ordinance of the common council, the weigh-masters are required to make a monthly report to the city inspector, of the amount, nature and value of the articles weighed by them; and yet, it is certified to the committee, that during the last eleven years, (and perhaps for a much longer period,) no such report has been made.

It will thus have been seen, if the facts above set forth are to be relied on, and the committee cannot doubt their correctness, that the present system for the weighing of merchandize in the city of New-York is very imperfect. Indeed, from the extent of the existing abuses, it may not be too much to say, that it is radically defective.

A weigh-master is now obliged to go about and solicit patronage and favor, by offering a part of his legal fees to his employer, and making the best bargain he can, or else go without business. The value of the merchandize weighed in the city of New-York, in the course of a year, by these officers, has been estimated at \$150,000,000; and yet, such is the condition of things, that public officers charged to render impartial justice in the transfer of this im-

mense amount of property, can only be viewed as the mere agents of an interested party.

It is believed that the appointment of a weigher-general, with instructions to distribute the business and fees of weighing equally amongst the weighers, would, when carried into effect, cut off all inducements and tendencies to favor or fraud, between the weigher and the employer. This would make the weigher an independent and impartial officer, such as the laws intend, and the ends of justice require.

An attempt was made in the common council of the city of New-York, some five years since, to remedy the existing abuses. Mr. Stevens, then a member of that body, expressed doubts, (as the committee are informed,) whether they had the power to enforce any regulations on the subject, and gave it as his opinion, that this could only be done by the Legislature. Nothing was done at that time in relation to the matter.

Weigh-masters are now appointed by the common council of that city, who are authorized by a law passed by the Legislature in 1801, to appoint so many to that office as they shall deem necessary; and to remove them and appoint others, and to fix and alter their compensation at pleasure. At the time this law passed, there might not have appeared any objections to conferring this authority upon the city. The duties of the office are, however, not of a local character, but affect the whole State, and indeed, all persons buying or selling goods in the New-York market. This fact, together with the great amount of business now to be done by these officers, renders it of the greatest importance to the public, that the utmost confidence should be placed in their impartiality and justice.

The regulation and appointment of inspectors of flour, beef and pork, spirits, ashes, &c., formerly exercised by the authorities of that city, in conformity to its charter, have been resumed by the Legislature and State authorities. The regulations adopted in 1832, by the Legislature, over the measurers of grain of that city, have been found highly beneficial and satisfactory. In that case, some doubts as to the right of the Legislature to interfere, were put at rest by the very able report of the then committee of the judiciary of the Senate on the subject. But in the present instance, as the regulation of the weighers was not one of the original chartered rights of the city, but was given to the common council by the law of 1801, there can be no difficulty in this respect.

The only question to determine then, is, whether the office of weigher should be under the direction of the police of the city, or of the State Legislature; whether the subject matter will be more discreetly and safely exercised by the city or by the State authorities.

The committee can have no doubt upon this subject. Their conclusions are, that the abuses complained of actually exist, and that the only way to ensure a thorough and permanent remedy, is pointed out by the petitioners.

They therefore recommend that a law be passed, authorizing the appointment of a weigher-general, and a limited number of weighers; and making it the duty of the weigher-general to have an office conveniently situated, where he shall superintend the weighing business, keep an account of the same, and distribute employment equally amongst the weighers. He should also be required to make an annual report to the Legislature, of the nature and value of the merchandize weighed, and the fees paid therefor, so that the extent and importance of this business may be known, and that the Legislature may be able to regulate the fees of these officers, if at any time it shall become necessary.

Leave is asked to introduce a bill.

STATE OF NEW-YORK.

No. 55.

IN SENATE,

February 21, 1835.

REPORT

Of the committee on canals, on the petition of Philip Schuyler and others.

Mr. Livingston, from the committee on canals, to which was referred the petition of Philip Schuyler, in behalf of himself and others, for remuneration for expenses incurred in maintaining fences along the line of the Champlain canal,

REPORTED:

The petitioners represent, that the Champlain canal passes through their lands, and that in estimating the damages sustained by them in consequence of its construction, the canal appraisers omitted to take into consideration the expenses they might incur in maintaining the fences; that these fences are now, and have been for some time in a decayed condition, leaving the fields of your petitioners wholly unprotected. It is also alleged, that they did not urge this item of expense in the assessment of their damages, in consequence of assurances from the appraisers, that the fences would be maintained at the expense of the State. Disappointed in their expectations in this respect, the petitioners, therefore, claim relief.

A bill for this purpose passed the Assembly last year, but remained among the unfinished business of the Senate at the adjournment.

After the completion of the canals, fences were erected on the margin by the State, and large sums expended in keeping them in repair, but in consequence of depredations committed upon them by persons navigating the canals, the disbursements became so enormous, that the Commissioners were induced to abandon them to the maintenance of the owners of the land. The reasons which influenced the Canal Commissioners in deciding upon this course, may be found in their report on the subject of fences, made to the Assembly in 1830. (Assem. Doc. 334, vol. 4.)

The committee do not doubt, that considerable burthens have, in some instances, been imposed upon the owners and occupants of land on the line of the canal, in maintaining the fences; but it is not reasonable to suppose, that in most cases, the damages sustained have been more than counterbalanced by the benefits the canal has conferred. Since its completion, ample evidence has been afforded of the enhanced value it has given to land in its vicinity. The advantages which were promised by its construction, have been fully realized, in furnishing a cheap and easy access to our great markets; and it will not be denied, that the persons residing on its borders, are benefitted at least to the extent of the difference in price, whatever it may be, between water and land transportation.

Whenever a public highway is established, the owners of land through which it passes, make and maintain the fences, for the reason that the improvement gives an increased value to the property; and no public highway offers the like facility to transportation, or adds so much to the value of the land as the canal does.

If the advantages secured to your petitioners by the canal, were not, in the judgment of the committee, equivalent to the damages alleged to have been sustained, they would in such case, cheerfully propose some measure of relief; but entertaining a different opinion, they cannot perceive the injustice of a denial by the Legislature, of the relief asked for.

The committee recommend the adoption of the following resolution:—

Resolved, That the petition of Philip Schuyler, in relation to canal fences, be denied.

STATE OF NEW-YORK.

No. 56.

IN SENATE,

February 28, 1835.

REPORT

**Of the Superintendent of the Mohawk and Hudson
Rail-Road.**

**TO THE HONORABLE THE SENATE OF THE STATE
OF NEW-YORK.**

The Superintendent of the Mohawk and Hudson Rail-Road, in conformity with a resolution passed your honorable body the 24th Feb. inst., requiring "the president and directors of the Mohawk and Hudson rail-road company to report to the Senate, on or before the 1st day of March next, the amount of money by them received (if any) for the transportation of produce from the city of Schenectady to the Hudson river or city of Albany, since the close of navigation on the Erie canal in the year 1834, and also the quantity and kinds of produce so transported,"

RESPECTFULLY REPORTS:

That inasmuch as the said board of directors could not be legally convened prior to the first of March, he has been advised to furnish the information called for by the above resolution, and, in pursuance of such advice, he submits the following statement.

There has been received for transporting property from Schenectady to Albany, from the 14th December, 1834, the time of the final closing of the Erie canal, to the 25th Feb. 1835, \$429.98 for transporting 1,375,936 lbs. = 687 $\frac{1}{4}$ tons, and consisting of the following articles.

	1834. Dec.	1835. Jan.	1835. Feb.	Total.
Dry goods, in bales and boxes,	20	.....	2	22
Shoe pegs, bags,	9	.....	.....	9
Hats, boxes, .....	.....	27	.....	27
Mittens, " .....	.....	1	.....	1
Books, " .....	.....	1	.....	1
Congress water, boxes,	1	10	12	23
Tools, " .....	.....	1	.....	1
Wool, bales, .....	.....	.....	5	5
Flaxseed, bags, .....	.....	12	.....	12
Printed sheets, &c., bundles, .....	.....	81	.....	81
Leather, sides, rolls and boxes,	2	204	7	213
Hair, sacks, .....	.....	1	.....	1
Piano-Fortes, boxes, .....	.....	1	.....	1
Peas, bags, .....	.....	.....	264	264
Barley and oats, hags, .....	.....	.....	73	73
Flour, barrels,	99	82	32	213
Ashes, " .....	.....	4	3	7
Vinegar, " .....	.....	.....	61	61
Provisions, brls. and hhds.,	58	.....	3	61
Butter, firkins, .....	.....	2	1	3
Liquors, qr. casks, pipes and brls., ..	54	54	17	125
Beer, barrels, .....	.....	.....	1	1
Luggage and furniture, in lots,	1	2	.....	3
Hides, pounds,	1,600	.....	1,600	3,200
Axle-arms, "	886	.....	1,760	2,646
Cast wheels, " .....	.....	.....	1	1
Iron, bundles, .....	.....	.....	6	6
Staves,	6	.....	.....	6
Kettles, (copper,)	22	.....	.....	22
Wood, cords,	8	27	8	43
Boards, piece, .....	.....	9,750	28,500	38,250
Lumber, not described, in pounds, ..	3,200	18,000	.....	19,200
Tierces, contents not known,	1	.....	.....	1
Barrels, empty,	4	6	15	27
Boxes, " .....	.....	.....	1	1

Aggregate in pounds.

In Dec. 1834, 131,104 lbs. at 3½c. per 100 lbs.	\$40 97
In Jan. 1835, 425,408 " " "	182 94
In Feb. " 819,424 " " "	256 07

1,375,936, or 687 $\frac{1}{4}$ tons, a 5s. \$429 98

All which is respectfully submitted.

A. WHITNEY, *Superintendent.*

Feb. 27, 1835.

STATE OF NEW-YORK.

No. 57.

IN SENATE,

February 21, 1835.

REPORT

Of the Comptroller, on the petition of Nehemiah Tower

COMPTROLLER'S OFFICE, }
Albany, Feb. 20, 1835. **}**

The Comptroller, to whom was referred by the Senate, the petition of Nehemiah Tower, respectfully submits the following

REPORT:

The petitioner represents, that he was the owner of 48½ acres of land, being part of lot No. 8, north of the two mile strip in the town of Lenox, which lot he purchased of Joseph Olcott; that in the autumn of 1829, and winter of 1830, he, the petitioner, saw and examined the Attorney-General's notice of sales of lands in the county of Madison, and was satisfied, from a careful examination of said notice, that his lot was not included; and a copy of this notice is presented in connexion with the petition, in order to show, by the wording of the notice, that the petitioner came to a just conclusion.

At the time the petitioner examined this notice, he was in arrear between three and four years in the payment of interest, which he knew was payable annually by the terms of the purchase; and he could not have been ignorant of the law requiring mortgages to be foreclosed, whenever interest for two years was due and unpaid. If the petitioner had doubts whether the terms of the notice embra-

ced his lot, he had no reason to doubt that he was in arrear in paying his interest; and he should, at least, have written to the Comptroller, and made inquiry whether or not, the mortgage in which he was interested, had been handed over to the Attorney-General for collection.

Lot No. 8, north side of the two mile strip, late Oneida reservation, consisting of 107 acres, was originally mortgaged to the State in March, 1803, by Michael Day, to secure the sum of \$296. On the 21st of April, 1815, ten acres in the northeast corner of said lot, were set off, in the Comptroller's office, to Elisha Beebe, with whom a new account was opened.

The mortgage of Michael Day was foreclosed by the Attorney-General, for arrears of interest; and, on the 24th of April, the lot was sold, (97 acres,) for \$438.61, besides costs, to Joseph Olcott, who gave his mortgage upon the 97 acres, to secure the payment of \$383.78, having paid one-eighth of the purchase money into the treasury, at the time of the sale.

After this purchase by Olcott, and on the 11th of March, 1816, he sold one-half of the lot, 48½ acres to Nehemiah Tower, the petitioner, with whom a new account was opened at the Comptroller's office. At the time the offset of the 48½ acres was made to Tower, there was due on the 97 acres, \$283.78 of principal, and \$20.29 interest. The land being equally divided, the sum due thereon was divided in the same manner; and Nehemiah Tower was charged, in a new account, with \$10 14 interest, and \$191.89 principal.

On the 8th of June, 1821, the part belonging to Joseph Olcott, being in arrear, was sold by the Attorney-General, and bid off by Joseph Olcott, junior, who gave a bond and mortgage on 48½ acres, being the part retained by Joseph Olcott in 1815, when the offset of 48½ acres was made to Tower, the petitioner.

The interest upon Tower's part of the lot, from the time of the offset, until September 1, 1827, amounted to \$142.27, including the sum in arrear at the time the offset was made. From 1816, to June, 1827, the petitioner paid interest to the amount of \$124.14, leaving a balance of interest due on the first of September, 1827, of \$18.13. Nothing more was paid on the petitioner's part of lot No. 8, until the sale on the first of September, 1829; there was

due of interest, in addition to the above balance of \$18.12, the sum of \$23.02, making a total of \$41.15. This was the sum due for interest at the time the account was given to the Attorney-General for collection, there being more than three years and a half of interest due upon the account opened with the petitioner.

The securities handed over to the Attorney-General for collection, were,

1st. The original mortgage of Michael Day, for the 107 acres. This mortgage embraced the 10 acres set off to Beebe in 1815, and, as Beebe gave no mortgage to the State, the 10 acres could only be reached by having recourse to the original mortgage of Day, which covered the whole lot.

2d. The mortgage given by Joseph Olcott in 1815, for the 97 acres purchased on the foreclosure of Day's mortgage. This mortgage embraced the 48½ acres set off to Nehemiah Tower, the petitioner, in 1816, and for which he gave no mortgage, but held the lot as stated in the petition, by virtue of an offset under the mortgage of Joseph Olcott.

And how was this lot to be described in an advertisement? And under what mortgage was it to be sold? As Tower had given no mortgage, the 48½ acres set off to him, could be sold only by advertising under the mortgage of Joseph Olcott. It was, accordingly advertised as "lot No. 8, on the north of the two mile strip, (except 10 acres set off to Beebe,) *mortgaged by Joseph Olcott.*" The mortgage of Joseph Olcott covered 97 acres, which included the petitioner's land, as well as 48½ acres sold in 1821 to Joseph Olcott, jr., and in the paragraph quoted from the advertisement, ten acres only were excepted.

The case then stands thus: The petitioner held 48½ acres, which he knew was covered by the mortgage of Joseph Olcott. He was in arrear in paying interest more than three years and a half, when he knew it was the duty of the public officers to sell his land if he allowed the interest to run over two years. He saw the Attorney-General's notice, declaring that he should sell the land mortgaged to the State by *Joseph Olcott*; and yet the petitioner, under all these circumstances, seems not to have supposed that his lot was intended.

The other paragraph in the advertisement relates to the sale of 48½ acres, being the same land which was retained by Joseph Olcott when he sold the other half to Tower in 1816, and which part thus retained by J. Olcott was sold in 1821, and purchased by *Joseph Olcott, junior*, who gave a new mortgage for this 48½ acres, being the part denominated the "remainder of lot No. 8." In foreclosing the mortgage of *Joseph Olcott, junior*, the ten acres sold to Beebe, and the 48½ acres sold to Tower, were excepted as they ought to have been. The notice advertising this part of lot No. 8, reads as follows: "That part of said lot No. 8, which was *mortgaged* to the said people on the 8th of June, 1821, by *Joseph Olcott, junior*, being the whole lot except ten acres, formerly set off to Elisha Beebe, and 48½ heretofore set off, and for which a new account was opened in the Comptroller's books, in the name of Nehemiah Tower." Tower's part was excepted in advertising under the mortgage of Joseph Olcott, junior, but it was not excepted in advertising under the mortgage of *Joseph Olcott*.

On the 28th of April, 1830, the Attorney-General, on foreclosure of Joseph Olcott's mortgage for part of lot No. 8, north of the two mile strip, sold to Sylvester Clark for \$270.65, all that part of said mortgaged premises, for which a new account had been opened in the Comptroller's books, in the name of Nehemiah Tower, containing 48½ acres.

Principal due on said Tower's new account,	\$191 89
Interest due on day of sale,	48 76
Costs of foreclosure,	30 00
	<hr/>
	\$270 65

Clark paid to the Attorney-General, the same day, the costs of foreclosure, and one-fourth of the principal and interest due the State, (\$60.16½,) and received a certificate of sale: and, on the 15th of November following, Clark gave his mortgage on the premises so sold to him, and his bond for \$180.49, the balance due the State, and received a deed of the said premises from the Attorney-General.

The petitioner has been subjected, no doubt, to great inconvenience and expense. This however, has arisen not from any error or defect in the Attorney-General's notice, but from the delinquency and neglect of the petitioner himself. The petitioner seems to as-

sume that the advertisement was erroneous, and in consequence of this, that the State ought to indemnify him for all costs and damages to which he has been subjected, in consequence of the sale of his lot, and the litigation growing out of the ejectment suit brought by the purchaser.

If the court of equity, as stated in the petition, relieved the petitioner from the effect of the Attorney-General's sale, on the ground of an error in the advertisement, it must have been because all the facts in relation to the offsets, were not fully understood. In advertising the petitioner's land, the description given in the mortgage of Joseph Olcott, under which it was held, was copied into the advertisement.

In the opinion of the Comptroller, the case of Nehemiah Tower does not present the slightest claim against the State Treasury, however much he may have been harrassed and oppressed by the transactions connected with the sale of his lot, and the litigation with his neighbor who purchased it.

In order to have a full understanding of the ground on which the court of equity relieved the petitioner from the purchase of Clark, it would be necessary to have copies of the papers in the case, which are filed with the equity clerk, in the 5th circuit court. These papers, it is believed, will show that the purchaser was charged with practising a deception upon the petitioner, and that this, and not an imaginary error in the notice of sale, induced the court to relieve the petitioner.

Respectfully submitted,

A. C. FLAGG.

STATE OF NEW-YORK.

No. 58.

IN SENATE,

February 28, 1835.

REPORT

Of the Commissioners of the Canal Fund.

CANAL ROOM, COMPTROLLER'S OFFICE, }
Albany, February 28, 1835.

TO THE LEGISLATURE.

The Commissioners of the Canal Fund, pursuant to chap. 320, of the Laws of 1831, respectfully submit to the Legislature the following

REPORT:

The twenty-seventh section of the act above referred to, provides that "the Commissioners, separate from their annual report, shall prepare, and lay before the Legislature, with their annual report in each year, a full statement of all the tolls collected upon all the canals of the State during the season of navigation next preceding such session; and also a statement of the rates of toll on all articles transported on said canals; and a comparative statement, shewing the amount fixed by the Constitution, and the amount charged."

The annexed statement, marked A, exhibits the rates of toll on the canals in 1834; the rates as fixed for 1835; and the minimum rates prescribed by the Constitution.

The statement marked B, exhibits the sums collected on each canal separately, and the monthly collections at each office during the last season of navigation. The total sums are as follows, viz:

[Senate No. 58.]

Tolls of the Erie canal,	\$1,179,744 97
“ Champlain canal,	115,211 89
“ Oswego canal,	22,168 02
“ Cayuga and Seneca canal,	18,130 43
“ Chemung canal,	8,378 05
“ Crooked Lake canal,	1,473 40
Total,	\$1,340,106 76

The statement marked C, shows the whole amount of tolls collected at each office on all the State canals for the year 1833; and also, the expenses of collectors' offices, the amount refunded and the amount paid into the treasury, the balances due to and from collectors, being an exhibit of the standing of each collector's account for the year 1833. The returns for 1834 are not embraced in this table; these accounts will be settled and passed upon by the Canal Board, and come into the report for next year. Accompanying the report of last year, on the subject of tolls, was a statement similar in form to the table marked C, embracing the eight years preceding 1832. The totals of that statement are included in this; by which it appears that the whole sum collected for tolls on all the canals, from 1824 to 1833, has been \$9,147,129.08. Including the collections for the last season, there has been received for tolls from 1824 to 1834, both inclusive, about ten millions and a half of dollars.

In addition to the statements required by chap. 320, before referred to, several tables have been prepared, for the purpose of presenting to the Legislature a general view of the progress of the trade of the canals, as far as it could be done from the materials at hand, from 1820 to the present time; and also a statement of the receipts and expenditures of the Commissioners of the Canal Fund, from the organization of the Board, in 1817, to the close of the fiscal year in 1834.

The statement marked D, shows the principal commodities passing Utica, east and west, on the Erie canal, for each year from 1821 to 1834; and also, the total sums paid each year for toll on the Erie canal during the same period.

The Erie canal was finished in the fall of 1825. In 1826, this canal was navigable from Albany to Buffalo, and the tolls for that

year amounted to the sum of \$677,466.75; being less by \$502,278.22, than the amount collected in 1834. The following statement exhibits the increase in some of the principal commodities transported on the canal, comparing 1826 with 1834:

	1826.	1834.	<i>Increase.</i>
Flour, barrels,	372,149	1,157,059	784,910
Wool, tons,	100	556	456
Sawed lumber, feet,	15,795,395	38,290,991	22,495,596
Timber, cubic feet,	150,112	1,522,337	1,372,525
Merchandize, tons,	23,986	70,372	46,386

It will be seen that there has been a decrease in merchandize for the year 1833. Of this decrease, about 4,550,000 pounds, (or 2,275 tons) is accounted for by the fact, that articles which heretofore passed under the head of merchandize, have, during the last year been arranged under other heads.

The statement D, does not include the property arriving at, or clearing from Utica, but merely such as passes that place both ways.

At the head of each column in the table, the number of miles of canal navigable in each year preceding the completion of the work, is given, commencing with 1821. In 1820, the middle section was navigable, to the same extent as in 1821, and tolls to the amount of \$5,437.34 were collected, but no statement was kept, showing the commodities passing on the canal that season.

The failure of the wheat crop in 1828, produced a material diminution in the tolls of that year, and also in 1829. Reductions in the tolls on particular articles have been made at various times; and in the spring of 1833, a general reduction was made, which was equal to an average of 20 per cent. This reduction operated upon the property transported on the canals in 1833; and yet the tolls which were collected, as shown at the foot of the column, under the head of 1833, were greatly increased from the former year. In 1834, the tolls on merchandize were reduced 25 per cent., and on country produce generally, 10 per cent. The tolls of the last year, are not as great as they were for the preceding year; although, with these reductions, the tolls for 1834 are greater than they were for 1831 or 1832, at rates more than 35 per cent. lower than they then were. The merchandize trans-

ported on the canals for the citizens of our own State, has been less by 9,450 tons the last year, than it was in 1833. This diminution has been occasioned in some measure by the over trading in 1833, and the panic in 1834.

The statement marked E, shows the quantity of merchandize and other property cleared at Albany and Troy, and passing from tide water on the western and northern canals, from 1824 to 1834. The whole amount of tonnage cleared at Albany is, in most cases, included under the head of merchandize. The articles of salt, flour, &c., given in the table, were generally cleared at Troy, and passed up the Champlain canal.

Including some articles which are not embraced in the table, the total tonnage passing from tide water, on both canals, in 1826, (the first year after the Erie canal was finished,) amounted to 35,485 tons; and the tonnage arriving at tide water on both canals, amounted in the same year to 302,176 tons. Total tonnage ascending and descending both canals in 1826, 337,605 tons, of 2,000 pounds each; see report of Canal Commissioners 1826, table T.

In 1834, the tonnage arriving at and clearing from Albany and Troy on both canals, was equal to 668,433 tons of 2,000 pounds each, viz:

Passing from tide water,			
Cleared at Albany,.....	58,136 tons,		
do. at Troy,	56,472 "		
		<hr/>	114,608 tons.
Passing towards tide water,			
Arrived at Albany,	316,521. "		
do. at Troy,	237,304 "		
		<hr/>	553,825 "
<hr/>			
Total tonnage ascending and descending the Erie			
and Champlain canals in 1834,.....	668,433 tons.		
do do. in 1826,.....	337,605 "		
		<hr/>	
Increase in eight years,	330,828 "		

The down freight on the canals has nearly doubled in eight years; and the up freight has more than trebled in the same time.

The following table shows the various articles which came to the Hudson river on both canals in 1834, as well as the quantity and the estimated value of each article in market, viz:

ARTICLES.	Quantity.	Tons of 2,000 lbs.	Total value in market.
Flour, bar.	979,520	105,787	\$4,897,600
Wheat, bus.	822,195	24,665	822,195
Coarse grain, "	651,548	14,659	325,774
Bran & ship stuffs,.. "	323,558	2,911	40,445
Cheese, lbs.	6,345,704	3,172	441,199
Butter and lard, "	3,626,441	1,813	362,644
Peas and beans, bus.	15,780	473	15,780
Potatoes, "	20,534	513	5,133
Flax seed, lbs.	1,899,446	949	56,982
Clover & grass seed, "	1,125,034	562	78,750
Provisions, bar.	41,613	6,241	332,904
Salt, "	11,378	1,707	17,067
Ashes, "	28,202	7,050	564,040
Wool, lbs.	992,860	497	446,787
Tobacco, "	1,740,649	871	87,032
Hemp, "	68,681	34	6,868
Stone, lime, &c. "	37,246,683	18,623	50,000
Iron ware, "	1,301,722	650	65,000
Boards & scantling,.. feet,	107,747,900	181,016	1,292,964
Timber, cubic, "	1,440,515	28,810	172,861
Staves, lbs.	55,351,800	32,676	1,107,036
Wood, cords	34,515	96,642	172,575
Shingles, M.	34,045	5,719	68,090
Domestic spirits, galls	1,225,696	5,515	306,424
Beer, bbls.	349	52	2,094
Cider, "	105	15	315
Apples, "	1,544	193	2,546
Dried fruit, lbs.	156,244	78	3,000
Pig iron, "	132,513	67	2,680
Lead, "	1,000		70
Sundries, "	21,095,095	10,547	1,000,000
Merchandise, "	584,518	292	87,600
Furniture, "	581,447	291	51,798
Furs and peltry, ... "	474,483	237	474,483
Hops, "	270,765	135	40,614
Gypsum, "	86,900	43	215
Charcoal, "	183,000	91	457
Total,			\$13,405,022

The 10,547 tons of sundries, embrace a great variety of articles of value. Among those coming down the northern canal, may be enumerated black lead, copperas, castings, iron and nails, glass, hides, manganese, starch, salmon and tallow. The articles here enumerated amount to 3,749 tons, and may be valued at more than \$300,000. The non-enumerated articles, coming down the Erie canal, embrace cotton and woollen manufactures, (which are not classed with merchandize, when coming towards tide-water,) and all other manufactured articles except furniture.

Many articles arrive at the junction of the canals which are not embraced in the table at West-Troy, but which might properly be included in the list of property arriving at tide water: For instance, 70,000 bushels of salt, 3,000 barrels of beef and pork, and 18,500 barrels of flour have passed Whitehall north, more than the whole number cleared at Troy, making no allowance for the flour, salt, &c. consumed between Troy and Whitehall. The preceding table does not embrace the property passing down the river through the sloop lock above Troy.

The articles which are brought down the canal to Schenectady, and from thence on the rail-road, ought also to be included in the preceding estimate. The property which has been taken from the canal, at Schenectady, during the last season, and transported upon the rail-road to Albany, estimated by the scale of prices adopted in making out the preceding table, may be valued at \$545,577. This would make the total value of the property arriving at tide water, on both canals, \$13,950,599. The quantity of flour, salt and provisions, coming down the Erie canal to the junction and passing up the northern canal, if taken into the estimate, would increase the amount to more than fourteen millions of dollars.

The table E, also exhibits the number of boats arriving at and clearing from the Hudson river, at Albany and Troy, from 1824 to 1834. In 1828 the number which arrived and cleared on both canals was 23,662; and in 1834, 32,438. The number of lockages at Alexander's lock, on the Erie canal, from 1824 to 1834, is also given. The lockages in 1824 were 6,166, and in 1834, 22,911. In the number of lockages, cribs of timber, as well as boats, are included. The number of lockages on the northern canal are not known. If a statement had been kept at one of the locks at Waterford, similar to the one kept at Alexander's lock, the number of

lockages probably would have been shown to be about 10,000; accounting for the difference between the arrivals and clearances on both canals, and the lockages at Alexander's, on the Erie canal. The number of boats registered and employed on the canals, will not vary much from 2,500.

The statement marked F, gives the articles arriving at and clearing from Buffalo, on the Erie canal, from 1829 to 1834. The merchandize destined out of the State has increased, in five years, from 4,881 to 17,401 tons; furniture of emigrants, from 935 to 4,149 tons; salt, from 65,431 to 84,101 barrels. During the same period the flour cleared from Buffalo east, as shown by statement G, has increased from 4,335 to 79,324 barrels; provisions, from 4,754 to 14,590 barrels; tobacco, from 32 to 1,009 tons; pig iron, from 235 to 1,128 tons; furs, &c., from 86 to 154 tons; staves, from 510,000 to 2,400,000; butter and cheese, from 138 to 257 tons; wool, from nothing to 73 tons.

Statement H contains an account of property arriving at and departing from Oswego, for the year 1834; designating the quantity of salt and merchandize destined from that place to Lake Erie, and the quantity of flour shipped east on the canal and north on Lake Ontario. It appears, by this statement, that 61,604 barrels of salt were shipped for Lake Erie, and 219,868 bushels of wheat were received at Oswego, from that lake, during the season of 1834. Out of 5,218 tons of merchandize received at Oswego by the canal, 871 tons were shipped to Lake Erie. This is an increase of 259 tons, compared with the preceding year.

The increase of merchandize at Buffalo, destined out of the State, compared with 1833, has been 3,160 tons. Total increase at Buffalo and Oswego, for Lake Erie, 3,419 tons. Notwithstanding this result, there has been a diminution in the quantity of merchandize passing Utica, comparing 1834 with 1833, of 6,031 tons.* It would seem, from this exhibit, that our own citizens have purchased, during the last season, 9,450 tons less of merchandize than in the preceding year; and that the people of the west have in-

* NOTE.—In comparing the tons of merchandize passing Utica, as given in statement D, the difference between 1833 and 1834, is 8,306 tons. Articles amounting to 2,275 tons, which in 1833 passed as merchandize, were classed under other heads in the statistical table of 1834:—The decrease of merchandize passing Utica, is therefore reduced to 6,031 tons, as stated on page 3.

creased their purchases of merchandize in our markets, for the same period, 3,419 tons.

The statement marked I, exhibits the quantity of property passing Whitehall, on the Champlain canal, from 1820 to 1834; and also, the quantity of merchandize and other property arriving at or passing Whitehall, from tide-water to the north. Since 1823, there has been an increase in the quantity of sawed lumber cleared at Whitehall, from 22,426,067 to 77,863,247 feet; of wool, from 9,660 to 252,000 pounds; of butter and cheese, from 27,776 to 1,954,000 pounds; of glass, from 3 to 18,000 boxes; of iron and nails, from 153 to 2,631 tons; of marble, from 44 to 1,167 tons. The merchandize passing Whitehall, north, has increased less than 1,000 tons, comparing 1834 with 1829. Flour has increased from 5,064 barrels in 1829, to 61,247 in 1834: And, during the last season, 20,406 bushels of wheat passed Whitehall to the north. The quantity of Onondaga salt sent to Lake Champlain through the northern canal, amounted the last season to 123,337 bushels; being more than the average amount for the four preceding years.

Among the commodities coming down the Champlain canal during the last season, there were 210 tons of copperas, and 304 tons of manganese. These articles came from the State of Vermont.

The whole amount of tonnage passing Whitehall on the Champlain canal, to and from tide-water, during the last season of navigation, was as follows, viz:

Passing north,	21,867 tons.
“ south,	177,561 “
	<hr/>
Total,	198,928 “
	<hr/>

Deduct the above from the tonnage of both canals, as given in the preceding part of this report, and it leaves the tonnage of the Erie canal, ascending and descending, at 469,539 tons.

The statement marked K, exhibits the amount of moneys received by the Commissioners of the Canal Fund, from all sources, and the amount paid by them from the first organization of the Board in 1817, to the 30th September, 1834. The receipts from the various sources are as follows, viz:

Avails of loans,.....	\$7,672,782 24
Premiums on do,.....	223,368 76
Tolls,	9,589,580 02
Vendue duty,	3,193,807 61
Salt duty,	1,872,329 68
Steam boat tax,	73,509 99
Sales of lands,.....	70,582 15
Interest on investment of surplus,	509,854 52
Rent of surplus water,	12,714 18
Other receipts,	25,718 00
	<hr/>
	\$28,244,197 15

The payments have been as follows, viz:

Canal Commissioners,.....	\$9,859,575 43
Interest,	4,785,521 80
Western inland lock navigation company,.....	152,718 52
Notes of M. Holley,	17,155 91
Miscellaneous payments,.....	155,693 40
Sup. of canal repairs,.....	2,315,280 57
Extinguishment of debt,.....	2,955,675 22
	<hr/>
	\$20,241,620 85

Leaving a balance in the hands of the Commissioners on the 30th September, 1834, applicable to the canal debt, of..... \$3,002,576 30

Respectfully submitted.

A. C. FLAGG, *Comptroller.*
JOHN A. DIX, *Secretary of State.*
GREENE C. BRONSON, *Att'y-General.*
WILLIAM CAMPBELL, *Surveyor-Gen'l.*
A. KEYSER, *Treasurer.*

STATEMENT of the rates of Toll on the New-York Canals, as charged under the regulations of the Canal Board in 1834, and as fixed for 1835, and also showing the minimum rates fixed by the Constitution.

ARTICLES.	Rates in 1834.			Present rates.			Minimum rates fixed by the constitution.		
	Cents.			Cents.			Cents.		
	100	10	1	100	10	1	100	10	1
Provisions.									
1 On flour, salted beef and pork, butter and cheese, and cider, per 1,000 pounds per mile,	0	4	5	0	4	5	0	4	40
2 On bran and ship-stuffs in bulk, per 1,000 pounds per mile,.....	0	4	5	0	4	5	0	4	40
Iron, Minerals, Ores, &c.									
3 On salt manufactured in this state, per 1,000 pounds per mile,.....	0	2	3	0	2	3	0	2	23
4 On foreign salt, per 1,000 pounds per mile,.....	3	0	0	3	0	0	0	2	23
5 On gypsum, the product of this state, per 1,000 pounds per mile,	0	2	5	0	2	5	0	2	23
6 On brick, sand, lime, clay, earth, leached ashes, manure, and iron ore, per 1,000 pounds per mile,.....	0	2	5	0	2	5	0	2	23
7 On pot and pearl-ashes, kelp, mineral coal, charcoal, pig iron, broken castings, and scrap iron, per 1,000 pounds per mile,	0	4	5	0	4	5	0	4	40
8 On stove, and all other iron castings, going to or from tide water, per 1,000 pounds per mile,	0	5	0	0	5	0	0	4	23
9 On copperas and manganese, going towards tide water, per 1,000 pounds per mile, ..	0	5	0	0	5	0	0	4	40
10 On bar and pig lead, going towards tide water, per 1,000 pounds per mile,.....	0	4	5	0	4	5	0	4	40
Furs, Peltry, Skins, &c									
11 On furs and peltry (except deer, buffalo and moose skins,) per 1,000 pounds per mile,	1	4	0	1	4	0	0	4	40

CONTINUED.

ARTICLES.

	Rates in 1834.			Present rates.			Minimum rates fixed by the constitution.		
	Cents.	Mills.	Frac.	Cents.	Mills.	Frac.	Cents.	Mills.	Frac.
12 On deer, buffalo, and moose skins, per 1,000 pounds per mile,.....	0	7	0	0	7	0	0	4	46
13 On sheep skins, and other raw hides of domestic animals of the United States, per 1,000 pounds per mile,	0	4	5	0	4	5	0	4	46
14 On imported raw hides of domestic and other animals, per 1,000 pounds per mile,...	0	9	0	0	9	0	0	4	46
<i>Furniture, &c.</i>									
15 On household furniture, accompanied by, and actually belonging to families emigrating, per 1,000 pounds per mile,.....	0	5	0	0	4	5	0	4	46
16 On carts, wagons, sleighs, ploughs, and mechanics' tools, necessary for the owner's individual use, when accompanied by the owner, emigrating for the purpose of settlement, per 1,000 pounds per mile,.....	0	5	0	0	4	5	0	4	46
<i>Stone, Slate, &c.</i>									
17 On slate and tile for roofing, and stone ware, per 1,000 pounds per mile,	0	5	0	0	5	0	0	4	46
18 On all stone, wrought or unwrought, per 1,000 pounds per mile,.....	0	2	5	0	2	5	0	2	28
<i>Lumber, Wood, &c.</i>									
19 On timber, squared and round, per 100 cubic feet per mile, if carried in boats,.....	0	5	0	0	5	0	0	5	0
20 On the same, if carried in rafts, per 100 cubic feet per mile,.....	1	5	0	1	5	0	0	5	0
21 1st, On boards, plank, scantling, and sawed timber, reduced to inch measure, and all siding, lath, and other sawed stuff, less than one inch thick, carried in boats, (except such as is enumerated in regulations No. 23 and 32,) per 1,000 feet per mile,	0	8	0	0	5	0	0	5	0
2d, On mahogany, (except veneering,) reduced to inch measure, per 1,000 feet per mile, (in 1834 charged as merchandise,)			1	5	0	0	5	0

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22	On the same, if transported in rafts, per 1,000 feet per mile,.....	2	0	0	2	0	0	0	5	0
23	On sawed lath less than five feet in length, split lath, hoop poles, handspikes, rowing oars, and broom handles, per 1,000 pounds per mile,.....	0	2	5	0	2	0	0	*	

Present Rates.

24	On staves and heading, transported in boats, per 1,000 pounds per mile,.....	0	2	0	0	2	0			
25	On the same, if transported in rafts, per 1,000 pounds per mile,.....	0	5	0	0	5	0			

Constitutional Rates.

On staves and heading for pipes, per 1,000 per mile,.....	.....	.....	.....	.....	.....	.....	.....	.....	1	0	0
“ “ hogsheads, per 1,000 per mile,.....	.....	.....	.....	.....	.....	.....	.....	.....	0	7	0
“ “ barrels, or less “.....	.....	.....	.....	.....	.....	.....	.....	.....	0	5	0
26 On shingles, per M. per mile, if caried in boats,.....	0	2	0	0	1	0			0	1	0
27 On the same, if conveyed in rafts, per M. per mile,.....	0	4	0	0	4	0			0	1	0
28 On split posts and rails for fencing, per M. per mile, if carried in boats,.....	2	0	0	2	0	0			2	0	0
29 On the same, if conveyed in rafts, per M. per mile,.....	8	0	0	8	0	0			2	0	0
30 On wood for fuel, (except such as may be used in the manufacture of salt, which shall be exempt from toll,) and tan bark, per cord per mile,.....	1	0	0	1	0	0			1	0	0
31 On the same, if transported in rafts, per cord per mile,.....	2	0	0	2	0	0			1	0	0
32 On sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness, per 1,000 pounds per mile,.....	0	5	0	0	5	0			*		

Agricultural Productions, &c.

33	On cotton, per 1,000 pounds per mile,	0	4	5	0	4	5	0	4	46
34	On live cattle, sheep, and hogs, per 1,000 pounds per mile,	0	5	0	0	5	0	0	4	46
35	On horses, (and each horse when not weighed to be computed at 900 pounds, (in 1834, 600 pounds,) per 1,000 pounds per mile,	0	7	0	0	5	0	0	4	46
36	On rags, per 1,000 pounds per mile,	0	4	5	0	4	5	0	4	46
37	On hemp and tobacco, going towards tide water, per 1,000 pounds per mile,	0	4	5	0	4	5	0	4	46
38	On hemp, going from tide water, per 1,000 pounds per mile,	0	4	5	0	4	5	0	4	46

* Same as other sawed timber, by measure.

CONTINUED.

ARTICLES.

	Rates in 1834.			Present rates.			Minimum rates fixed by the constitution.		
	Cents.	Mills.	Frac.	Cents.	Mills.	Frac.	Cents.	Mills.	Frac.
39 On wheat, and all other agricultural productions of the United States, not particularly specified, and not being <i>merchandise</i> nor 1,000 pounds per mile,.....	0	4	5	0	4	5	0	4	46
40 On merchandize,	0	9	0	0	9	0	0	8	92
41 On all articles not enumerated or excepted, passing from tide water, per 1,000 pounds per mile,.....	0	9	0	0	9	0	0	4	46
42 On all articles not enumerated or excepted, passing towards tide water, per 1,000 pounds per mile,.....	0	4	5	0	4	5	0	4	46
<i>Boats and Passengers.</i>									
43 On boats used chiefly for the transportation of persons, and navigating the Erie canal between Schenectady and Utica, per mile,.....	11	0	0	11	0	0			
44 On boats used chiefly for the transportation of persons, and navigating the Erie canal, west of Utica, per mile,	6	0	0	6	0	0			
45 On boats used chiefly for the transportation of persons, and navigating the Champlain, or Champlain and Junction canal, per mile,	6	0	0	6	0	0			
46 On boats used chiefly for the transportation of persons, and navigating the Oswego canal, per mile,	6	0	0	6	0	0			
47 On boats used chiefly for the transportation of persons, and navigating the Cayuga and Seneca canal, and the lateral canal to east Cayuga village, or either of them, per mile,	6	0	0	6	0	0			

48	On boats used chiefly for the transportation of persons, and navigating the Junction canal, and not connected with regular lines of boats for the transportation of persons on the Erie or Champlain canals, per mile,.....	50 0 0	50 0 0
49	On boats used chiefly for the transportation of property, per mile,.....	2 0 0	2 0 0
50	On each person over 8 years of age, transported in a boat used chiefly for the transportation of persons, per mile,.....	0 2 0	0 2 0
51	On each person over 12 years of age, transported in a boat used chiefly for the transportation of property, per mile,.....	0 2 0	0 2 0
<i>Constitutional Rates.</i>			
	On boats used chiefly for the transportation of property, on each ton of their capacity, per mile,.....	0 1 0
	On boats made and used chiefly for the carriage of persons, per mile,	5 0 0

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826. <i>miles navi- able.</i>	32. <i>es navi- ble.</i>	1833. <i>363 miles navi- gable.</i>	1834. <i>363 miles navi- gable.</i>
372,149	34,497	967,813	1,157,059
30,658	42,216	27,919	39,888
55,199	66,651	62,860	70,060
36,155	28,810	29,508	30,502
789	.....	.....	.....
9,660	.....	15,357	6,105
292,996	45,340	1,175,423	1,197,304
213,059	60,677	302,578	402,216
337	.....	.....	.....
12,538	15,072	8,260	29,486
139	641	730	1,072
100	360	583	556
353	617	928	1,586
922	1,774	2,277	2,249
87	169	222	243
137	100	134	199
5,402	4,036	9,375	5,307
4,025	3,994	4,402	6,304
97	1,450	.....	174
1,045	921	905	1,002
1,541	3,839	3,797	5,336
23,986	58,063	78,678	70,372
15,137	.....	.....	.....
162,528	537,680	1,609,612	1,461,051
795,395	354,027	40,804,371	38,290,991
150,112	351,022	1,738,255	1,522,637
577,482	341,018	9,264,523	10,416,705
6,176	50,453	55,287	41,061
2,212	3,826	4,808	5,383
,466 75	,612 28	\$1,290,136 20	\$1,179,744 97

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1826.	1834.
31,437	86,814
1,103	1,231
575	1,029
479	828
492	562
.....	377
9,234	12,096
.....	42,707
.....	2,495
.....	43,354
.....	1,102

.....	9,277
.....	6,942
.....	16,219
.....	16,219
.....	32,438
15,156	22,911

household fur

(F.)

STATEMENT of property arriving at Buffalo from the east, on the Erie canal, in each year, from 1829 to 1834.

ARTICLES.	1829.	1830.	1831.	1832.	1833.	1834.
Merchandize for this State,	2,270	2,972	4,620	4,351	6,451	6,628
do destined out of this State,	4,881	6,061	9,435	8,780	14,341	17,401
Furniture and mechanics' tools,	935	1,832	2,849	2,918	4,257	4,149
Foreign hides, .....	.....	.....	.....	163	180	
Sundries,	470	389	275	251	536	860
Salt,	65,431	75,370	74,064	61,335	70,929	84,101

(G.)

STATEMENT of property cleared at Buffalo and passing east on the Erie canal, from 1829 to 1834, both years inclusive.

ARTICLES.	1829.	1830.	1831.	1832.	1833.	1834.
Flour,	4,335	31,810	62,968	21,932	78,666	79,324
Provisions,.....	4,754	6,675	5,668	5,159	4,273	14,590
Oil,.....	214	802	1,420	44	43	221
Wheat,.....	3,640	149,219	186,148	100,761	114,337	111,798
Ashes,	1,705	2,713	2,502	2,110	2,118	1,655
Tobacco,	32	62	222	386	535	1,009
Hemp,	22	20	70	29	17	5
Pig iron,.....	235	419	409	760	1,167	1,128
Castings,	241	.....	422	468	757	689
Household furniture,	42	58	69	88	134	145
Furs,	86	82	96	107	101	154
Lumber,	311,256	136,499	184,639	251,504	331,140	439,643
Staves,	510	464	568	523	699	2,400
Fish,.....	.....	851	150	276	279	346
Whiskey,.....	149	4,182	3,750	2,208	2,485	1,347
Butter,.....	70	174	205	304	449	119
Cheese,	68	122	127	74	95	138
Wool,.....	.....	.....	66	22	75	73
Deer skins and raw hides,.....	.....	.....	.....	.....	110	141
Grind-stones,	35	39	124	110	189	126
Lead, .....	.....	41	9	.....	.....	.....

STATEMENT of the business of Oswego, furnished by a merchant of that place, for the year 1834.

ARTICLES.	Received by canal.	Shipped to Lake Erie.	Rec'd from Lake Ontario.	Rec'd from Lake Erie.	Shipped east on canal.	Shipped no ch.
Salt,.....	106,426	61,604				
Merchandize,	5,218	871				
Wheat, .....	.....	.....	251,760	219,868		
Flour, .....	.....	.....	.....	.....	95,887	9,296
Increase since 1833,.....	Salt. 21,523 Mdze. 206	..... Mdze. 259	.....	Wheat. 40,106	Wheat. 13,353	

A large amount of ashes, pork, butter, Ohio flour, lumber, and rail-road timber, not included.

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1, the Champlain

1833.	1834.
1,9,758	152,811
2,9,986	4,983
4,323	522
5,158	5,526
488	423
88	110
3,498	61,247
15	58
3,66	80
132	81
8,205	7,265
2,581	273
360	115
286	113
7,345	7,526
5,610	123,337
.....	20,406
0,215	268,568

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Steamboat tax.	Sales
16,509 98 62
18,902 70 99
16,412 44 17
6,684 92 16
5,000 00 21
5,000 00 68
5,000 00	..... 58
.....	..... 49
.....	2, 37
.....	22
.....	28, 67
.....	..... 23
.....	13, 29
.....	24

STATE OF NEW-YORK.

No. 59.

IN SENATE,

February 21, 1835.

REPORT

Of the committee on roads and bridges, on the petition of Francis Lansing and others.

Mr. Seger, from the committee on roads and bridges, to which was referred the petition of Francis Lansing and others, inhabitants of the town of Watervliet in the county of Albany,

REPORTED:

The petitioners represent that in 1826 certain individuals associated together to obtain a charter to construct a turnpike road from Albany to Troy, which was opposed by the citizens of Albany and the farmers of Watervliet, and failed: that for the purpose of quieting the opposition of these farmers the applicants promised that a clause should be inserted in the charter, forever exempting them from the payment of toll, and that many of the farmers, confiding in the promise thus tendered, became applicants for the act: that the act passed on the 31st March, 1828, the eleventh section of which is in the following words:

“The said company shall not exact or receive toll from any farmer residing in the town of Watervliet, during his residence there, unless engaged in transporting passengers, produce or other articles for hire.”

The petitioners further represent, that in the fall of 1828, a notice appeared in the Albany Argus, in the following words: “Notice is hereby given that an application will be made to the Legislature [Senate No. 59.]

ture, at their next session, for leave to abandon that part of the Watervliet turnpike north of the north bounds of Gibbensville, and for other purposes."

The petitioners allege that various reasons were assigned by the company for the application to the Legislature, but no intimation was ever given that the clause exempting the farmers from the payment of toll was to be affected by it, and that the same was passed without their knowledge or consent: that their rights were surreptitiously wrested from them contrary to good morals, and in violation of an express agreement; and they pray for a restoration of the privileges acquired by them under the said eleventh section.

The subject has been fully investigated by the committee, and witnesses have been examined, both on the part of the petitioners and on the part of the corporation, by which the present application has been resisted. The testimony submitted will be found appended to this report; and, as the same has been taken down with some minuteness, the committee do not conceive it necessary to spread its substance before the Senate with much particularity, excepting so far as it affects the prominent points in controversy between the parties.

From this testimony it will be discovered that the allegation of the petitioners respecting the failure of the first application for an act of incorporation is fully substantiated, and that the farmers and the citizens of Albany successfully opposed the passage of the law. It is also in proof before the committee that three of the prominent individuals who took an interest in the passage of the law, represented to such of the farmers of Watervliet as were requested to sign the petition for its passage, that a clause should be inserted in the bill to exempt them from the payment of toll: that upon such representation their opposition to the measure was withdrawn, and the bill containing such clause passed during the session of 1828, without objection on their part.

This, it is believed, healed all the difficulties, up to that period, between the present petitioners and the turnpike company, and the company pursuant to the provisions of their charter, took the necessary preliminary measures to carry their contemplated improvement into operation. Appraisers were appointed, who examined into, and assessed the damages, and it appears that in their appraisal of the claims made by the commissioners of highways of the

town of Watervliet, for the old road, these damages or claims, were estimated with reference to the privilege which the farmers were to enjoy of passing the gate free from the payment of toll, and their exemption from liability to work the old road; that \$75 was allowed them for the old road, being the amount which the town had originally paid for permission to locate the road at that place; and \$126.50 for the materials of some bridges or sluices, making in all, \$201.50. This claim for damages by the commissioners of the town, was resisted before the appraisers, by a committee appointed on the part of the company, and the commissioners were then notified that if they persisted in their claims, the company would not prosecute the work, but would apply for a repeal of the 11th section; the section exempting them from the payment of toll. The claim was allowed to the amount above stated, and payment thereof was subsequently made to the commissioners.

In Dec. 1828, the directors of the company adopted a resolution to apply to the Legislature for amendments to their charter, and a committee was appointed to publish a notice thereof, and to attend to the application before the Legislature. The language employed in this notice, the circumstances connected with it, and the passage of the law under it, depriving them of important rights, constitute the principal grounds of complaint on the part of the petitioners. The publication of notices of intended applications to the Legislature, was undoubtedly designed to guard against legislation by surprise; the R. S. requiring that "if the application be for an alteration in any charter already granted, the notice shall state specifically, the alteration intended to be applied for." Although the committee have been cited to many notices as vague and indefinite as the one under consideration, they cannot view this as complying with the requirements of the law. A reference to the act passed under it, (see Session Laws 1829, chapter 259,) will show the important alterations which were made in the charter under the vague clause in the notice "and for other purposes." It may, however, be questioned, whether the present Legislature has any thing to do with the notice, or whether it would affect the validity of a law passed by a former Legislature, had no notice whatever been given. Each legislative body, it is presumed, must be the judge for itself, of the sufficiency of notices brought before it; for if the doctrine is tolerated, that the solemn decisions of the Legislature are to be reversed by a subsequent body possessing the same power, for the reason that a notice of the intended application is not

published in a particular form of words, it may readily be conceived that legislation will become as unstable as the winds.

Aside from the sufficiency of the notice, it becomes a question, how far the allegation of the petitioners, that the eleventh section was stricken out without their knowledge, is sustained by the facts. As early as the summer of 1828, the commissioners of highways were apprized of the intention of the company to apply for a repeal of the eleventh section. Of the seven individuals residing in Watervliet who have been examined before the committee, on the part of the petitioners, five of them saw the notice which was published; and some of these, at the same time, had no faith in the integrity of the company, but constantly entertained the belief that they would apply for a law to subject them to the payment of toll. Several of the directors testified that there was no attempt at concealment, as it regarded their intention to apply for a repeal of the eleventh section, but that the proceedings in reference thereto were open and undisguised. In addition to which, one of the directors, who is a resident of the town of Watervliet, and one of the principal stockholders in the company, states, that the repeal of the eleventh section was a common topic of conversation in that town.

A certificate, on the other hand, over the signature of Jeremiah Schuyler, who was one of the directors and a citizen of Watervliet, but who has, since that time, ceased to be a stockholder, bearing date the 22d February, 1829, certifying that no application should be made to charge the farmers of Watervliet with toll, was delivered to one of the farmers of that town, about the time it bears date, who testifies, that but for this certificate, a remonstrance would have been got up against the passage of the law. Mr. Schuyler, the person who gave this certificate, was one of the original applicants for the act of incorporation, and was one of the most active individuals in procuring the signatures of the citizens of that town to the petition therefor, and in giving the pledge to the farmers that they should be exempted from the payment of toll. Subsequent events sufficiently establish the integrity of his conduct in his efforts to redeem the pledge; for on the second of March, nearly two months prior to the passage of the bill, in pursuance of a request originating with him, a meeting of the directors was held, when the several sections of the bill reported in the Assembly (which was then before them,) were discussed, and on

his motion, the section repealing the exemption clause was disagreed to by the directors. Upon further discussion, one of the directors changed his vote, which restored the section. Mr. Schuyler was very much dissatisfied at this result, and expressed his determination to prevent the passage of the bill, and to apprise his neighbors that the company were applying for a repeal of the eleventh section; and it can hardly be supposed that to the pledges he had given the farmers, he should superadd the certificate of the 23d February, continue steadfast to his pledges and engagements up to the 2d March, one week after the certificate is dated, and then, with a full knowledge, for the first time, that his pledges had been disregarded and violated and his certificate falsified, that he should remain indifferent and silent, particularly as ample time intervened, to inform his neighbors of the designs of the company, between that and the passage of the bill, which did not take place until the 25th April thereafter.

Apart from this, it is matter of doubt whether the petitioners did not in fact, remonstrate against the passage of the law. In the Journal of the Assembly of 1829, March 3d, page 589, the committee were referred to an entry of the presentation of a "remonstrance of sundry inhabitants of the town of Watervleit, against *any* alteration of the law incorporating the Watervleit turnpike company." It was, however, contended before the committee, by the counsel for the applicants, that this remonstrance related to a matter having no reference whatever to a repeal of the exemption clause; but from any thing that appeared before the committee, this construction is scarcely admissible, for the language of the entry is general, and not confined to any one particular feature in the bill, but remonstrates against all or "any" alteration of the original act of incorporation.

It has already appeared, that on the day preceding the presentation of this remonstrance, the bill, the provisions of which, were discussed at the meeting of the directors, contained the repealing clause; it may consequently be as reasonably inferred, that it was meant to defeat *that* portion of the bill as any other, and perhaps more so, inasmuch as the committee are not informed that any other section in the bill was a subject of controversy between these or any other parties.

It is proper to add, that diligent search has been made by the chairman of your committee, for the remonstrance in question,

among the papers of the Assembly, and that no trace of it can be discovered, nor has its absence in any manner been accounted for.

The course taken by the counsel for the respective parties, before the committee, and the subjects treated by them as the prominent ones in this controversy, have in some measure, rendered it necessary, that a report should run in the same channel; but for this, the committee might not have deemed it necessary to enter upon the examination of so many points in this report, as they now feel constrained to do.

It is alleged on the part of the applicants, that having paid a valuable consideration for the privilege secured to them by the act of 1828, their rights to those privileges became vested in them, and that by the act of 1829, these vested and purchased rights were taken away. In support of this allegation, and to show the consideration which was paid for the privilege secured by the act of '28, one of the witnesses states, that the shaping of the road, making the bridges, and removing the stones, would bring the cost of the old road to about \$1,000 per mile. It appears from other testimony, that the company paid \$700 in village improvements and in money, to the trustees of the village of Gibbonsville for a bridge within the limits of that village, which, deducted from the estimated value of the old road, as appraised by the witness, would leave \$4,800 (its length being five miles) as the value of that road, instead of \$201.50, the valuation thereof by the appraisers.

It is difficult to reconcile the disparity in the estimated value of the road by the witness, and that by the appraisers, unless the former included the labor performed under the ordinary highway assessments as a part of its value, or, unless he included in his estimate the value to the farmers of passing the road exempt from the payment of toll: for it appears that Gen. Van Rensselaer, until recently, was under an engagement to work the road the length of his farm, being about 2 miles; which would leave only 3 miles to consume the \$5,000, in shaping the road, building a bridge, (for there appears to be but one on this three miles,) and removing the stone. From the condition of the road, it can hardly be supposed that this amount had been expended, independent of the ordinary highway tax, it being almost impassable for loaded carriages for several weeks in the spring and fall, and the mail and other stages being repeatedly obliged to turn into the fields; and in 1828, the

stages entirely suspended passing between Albany and Troy for 4 or 5 days.

One of the appraisers states, that in estimating the damages claimed by the commissioners of highways of the town, he did so with reference to the privilege granted the farmers of passing free of toll, but in estimating the damages of the owners of the land, it was done without such reference. Nothing of this kind appears in the inquisition made by the appraisers, and filed in the clerk's office, which inquisition has been laid before the committee, and in which the appraisement of the claims by the commissioners is entered in the usual form, without specifying in what manner or upon what grounds the amount was arrived at. And when it is considered that the commissioners had the right of appeal from the determination of the appraisers, it may be questioned whether, at this late day, the appraisement ought to be disturbed; it certainly should not, if, from all the circumstances detailed in a former part of this report, the opinion should be entertained that the applicants had notice of the application of the company to the Legislature in 1829; for if they had such notice, the rights of the parties were fully and finally settled by the act which passed at that session.

The doctrine of vested rights is not limited to one of the parties in this controversy, but is interposed by both as a shield to their respective interests; the company claiming protection under it for the holders of stock acquired since passage of the law of 1829.—From the the books of the company it appears, that 186 shares of the stock have been taken since the passage of that law, and 730 shares have been transferred during the same period. These new interests claim the protection of the Legislature; and it is to be presumed that nothing will be done to impair them without sufficient cause.

The vested rights of a stockholder, as such, however, cannot be regarded as of that sacred character as those of an individual not connected with a stock company; for while the former may be affected or impaired by an alteration or repeal of the charter, a power reserved in the Legislature, the latter can only be divested of his rights to property when it is required for public use, and not even then without a fair equivalent being paid therefor; but in the present case, the rights claimed by the petitioners cannot be viewed as ever having become vested in them. They were, at most,

only inchoate and dependent upon the contingency of the road being constructed; and the burden of proof, so far as proof can establish such a matter, leads the committee to the conclusion, that the road would have been abandoned by the company, had not the act of 1829 been passed.

Were a view of this whole subject to be taken without regard to the interests, or what are denominated and claimed as the "rights" of the respective parties, it might be a proper subject of inquiry, how far the farmers of Watervliet are indemnified for the exactions upon them, in the form of tolls, by the increased value of their real estate, consequent upon the existence of the road, and also by the relative diminution of their taxes in consequence of the capital of the company being taxed in their town. The taxes paid by the company to the town of Watervliet, during the three years that their capital has been the subject of taxation, amounts to the annual average of \$382.56, and the real estate has enhanced in value from fifty to two hundred per cent. In addition to which, the facility is afforded to the farmers of that town, to avail themselves of the advantage of the Albany market at all times, while the condition of the other avenues leading to that city, denies to the farmers of the adjoining towns, at certain seasons of the year, nearly all intercourse with that market. These considerations, it is admitted, do not legitimately bear upon the abstract question, whether the farmers of Watervliet have been surreptitiously divested of their rights by the company; but it is respectfully submitted, that should it be considered that the conduct of the company, in their application to the Legislature in 1829, was open and without concealment, or even should doubts be entertained on that subject, whether these consideration would not properly have a bearing upon an equitable settlement of the question.

The rates of toll were not affected by the act of 1829, farther than to charge three cents for every additional horse attached to the vehicle specified in the act of 1828.

The committee do not consider themselves called upon to examine into the reasons why the act of 1829 exempts the company from the operation of the provisions contained in the 36th section of the 3d article and first title of the law relating to turnpike corporations, inasmuch as no question has been raised before them in reference thereto, nor does it form any part of the subject of complaint by the petitioners.

It is proper to remark, that this question has, on two former occasions, been presented to the Legislature for its consideration. In 1830, a report was made in the Assembly favorable to the prayer of the petitioners. (Assembly Doc. of 1830, No. 229.) In 1831, a committee in that body reported against the application, (Assembly Doc. of 1831, No. 92,) from which time, until the present, the application has not been renewed. Your committee have not been able to discover any sufficient cause to justify a conclusion different from that arrived at by the committee of 1831. They therefore recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

DOCUMENTS.

Testimony taken before the committee on roads and bridges, upon the application of the farmers of the town of Watervliet to be exempted from the payment of toll at the gate of the Watervliet turnpike road company.

It is admitted that Mr. Hillhouse, Mr. Dunlop and Mr. Schuyler, applicants for the act of incorporation, in obtaining signatures to the petition in Watervliet, represented that there should be a clause in the bill exempting the farmers of that town from the payment of toll.

John C. Schuyler, sworn. He is the supervisor of Watervliet; he is a farmer; was born in Watervliet, and always lived there; he was 33 years of age last December. In the summer of 1828, witness was informed by Mr. Kirk, a stockholder, that the company intended to apply to the Legislature for an amendment to their charter, so as to subject the citizens of Watervliet to the payment of toll, and for some other amendments. The following winter, witness applied to Jeremiah Schuyler, a director in the company, to learn whether such was the intention of the company; he wrote a certificate, dated the latter part of February, certifying that the company had taken a vote not to apply for an amendment to subject the farmers to the payment of toll. Witness interested himself to obtain subscribers to the petition, on the express understanding that the farmers should go toll free, and but for the certificate, they would have got up a remonstrance. The appraisement of damages was made previous to the amendment being passed, and no subsequent appraisement was made. The pledge or agreement was made by Hillhouse, Dunlop and Schuyler in the fall of 1827; Jeremiah Schuyler was principally engaged in getting subscribers and in giving the pledge. There were nine directors in the company.

Saw the notice of the company to apply to the Legislature for amendments; the road, in the spring of 1828, was worse than it had ever been. They have not applied for relief to the Legislature since 1831, for the reason that they had had such bad luck in former applications. He, however, had been anxious to press the application; first knew the paper marked "A" about the time it was dated; never signed any remonstrance. Last year, witness marketed 145 tons of hay, † of which came to Albany. Can carry greater loads now than formerly; cant think that his property

has increased in value in consequence of the road; there has never been any difficulty with the road except the tolls; the road is always good.

John Schuyler, jr. told witness, sometime pending the application to the Legislature in '29, that Jeremiah Schuyler had informed him (John jr.) (after the date of the certificate marked "A") that Leonard, then one of the directors, had changed his vote so as to authorise them to apply for a repeal of the eleventh section; that Jeremiah Schuyler was dissatisfied with it; that he had talked to Mr. Townsend and Mr. Dunlop about it, who thought the application wrong, and that they would so represent it to the committee of the Assembly.

Henry Van Olinda, sworn. Was a commissioner of highways of Watervliet in 1829; still resides there. Jeremiah Schuyler was a director in the Watervliet Turnpike Company; in a conversation with Jeremiah Schuyler, in which witness expressed his fears that the company would apply for a law to subject the farmers to pay toll, Schuyler said the company had no such intention. Witness applied for pay for the old road; the appraisers allowed them \$201.50; this allowance was made in the fall of 1828; this amount was paid them; the old road went along the river; Mr. Van Rensselaer gave the new road for the old road; the old road belonged to the town, it was a public highway; there was a gate on the old road at the manor house. The patroon was to work the new road the length of his farm, when the location was changed. Has seen or had notice of the intention of the company to apply to the Legislature for an amendment; made no inquiries respecting the nature of the notice; did not suppose that the toll would be put on them.

Francis Lansing is a farmer residing in Watervliet; was supervisor in 1828; (for Mr. Parker's testimony see Assem. Doc. 1831, No. 92,) conversed with Mr. Parker, who is now dead, soon after the appraisement was made, as to what the \$201.50 was allowed for. (This conversation objected to and overruled.) The quantity of old road now occupied by the turnpike is 23 or 24 acres, and belonged to the town; the old road had been occupied about 25 years as a road. Knew nothing of the application to the Legislature for a repeal of the exemption clause, but knew of an application; thinks he was informed by Mr. Dunlop and Mr. Schuyler, that all they applied for was an alteration in the upper part of the road, but of this he is not certain. Individuals were named to oppose the passage of the original law; there was afterwards an understanding that the farmers should be exempt, and then there was very little if any opposition; thinks he has not said that the condition of the farmers was bettered by the new road. If he were to travel the road as often as he did prior to the construction of the turnpike, he would prefer to pay the toll to having the old road.

Cornelius Fonda is a farmer in Watervliet; knew nothing of the application of the company for an amendment of their charter;

dont know that he knew any thing of *any* application to the Legislature; would prefer the old road to the present.

George Batterman was one of the appraisers, thinks in 1828; *he*, as one of the appraisers, estimated the damages with reference to the privilege which the farmers should enjoy of passing the gate free of toll; their allowance was only for materials which had been furnished for the old road. The commissioners of highways claimed pay for the land, which the appraisers did not find themselves authorized to allow. The appraisers awarded damages to the owners, where new ground was taken, without reference to the exemption, but in appraising the value of the old road to the town, they took the exemption into consideration.

The minutes of the proceedings were left with Mr. Parker.— One consideration which influenced the commissioners in estimating the damages was, that they would be exempt from working the old road. He is certain that he, as one of the appraisers, made no allowance but for materials in a bridge or two, or sluices.

Abraham Ten Eyck, Jr., a farmer in Watervliet; passes the gate on his way to market; he was not apprized of the application to the Legislature to amend the act so as to prevent the farmers from going toll free; he supposes that his business was of a character to enable him to learn of such application more readily than the farmers of that town generally; if the application had even been partially known, he would have heard of it he thinks; would as soon have the old road as the new with his liability to pay toll; witness refused to sign the original petition; he had no opinion of the integrity of the representation that the farmer should go toll free.

In 1828 and '29, he worked 27 acres of land; his highway tax is not diminished on account of this road; heard nothing of the application, save that the company intended to apply to cut off the north end of the road; lives about three miles from Albany; has sold real estate on the road since the road was made, at the rate of \$2,500 the acre; 4½ acres for about \$2,400; real estate has increased throughout the town 50 per cent, some parts of the town 2 or 300 per cent. Did not think the present amendment would be made, as the legal notice had not been given; has taken an interest in getting up the present application; is not aware that he opposed the first act of 1828. He had frequent intercourse with Gerrit Y. and Christopher Lansing, who took the newspapers, and would be likely to see a notice; he heard no objection from them to the proceeding of the company; G. Y. Lansing lives adjoining witness.

(Paper read marked A.) Witness first saw this paper in 1830; proved the signature; for the last year his team has not been to market over 20 times; has often gone to Gibbonsville to market to avoid the toll; never paid any toll until within 3 or 4 months; has sent no produce to market since toll has been exacted from him.

The shaping of the road, the making of the bridges, and removing of stones would make the old road cost about \$1,000 a mile; there was a bridge at Dunlop's which cost the town about \$200; the bridge near the arsenal cost, as he presumes, \$500.

Abraham Schuyler, is a farmer of Watervliet; always lived there; had no notice of the application to the Legislature to take off the exemption clause; thinks he would have heard of it if it had been generally known; saw the notice which was published; his father sold \$250 worth of stone to the company for the road; lives about 1½ mile from Gibbonsville; his market, previous to the gate being put up, was at Albany, since that time, at Gibbonsville.

Conrad A. Ten Eyck, is county clerk, sworn on the part of the company, produces the appraisements of '28 and '29, and the profile of the road, and establishes their authenticity.

Avery Tracy, sworn for the applicants, moved to Watervliet in the spring of '28; is a farmer, lives on the Hillhouse farm; Mr. Hillhouse often represented that the farmers of Watervliet were to go toll free; he went toll free, with the exception of a short time, until the 19th June last; Mr. Hillhouse's family carriage don't pay; witness has paid from \$80 to \$100 for toll since 19th July, that is, for the Hillhouse farm, for carrying milk, &c. to market. Thinks this application would not have been made if the exemption from toll had been continued to those living within one mile of the gate.

James D. Wasson, is and has been a director in the company since its incorporation; at the first application in the fall of 1826, witness was opposed to a turnpike, deeming a gate between this and Troy against his interest as a keeper of a livery stable; an attempt was made to improve the road by subscription—it failed. In the fall of '27, he became an applicant for a McAdam road. The board of directors were elected under the act of 1828, May 8th of that year; books for subscription were opened, but the stock could not be taken up; monied men deemed it a bad speculation; the stock consisted of 900 shares of \$100 each; the main part of 600 shares was taken up previous to the election of directors. Dec. 17, 1828, Mr. Dauchy, from a committee to procure subscriptions to the stock, deemed it so important that he made a formal report that he had succeeded in getting 20 shares subscribed in Troy. Commissioners of highways of Watervliet sat up a claim, at the meeting of the appraisers, for the old road; they were told by a committee of the company, that it was unjust that they should get pay for the old road, and be permitted to go toll free. They insisted upon damages; the company and commissioners could not arrange this matter; they claimed, he thinks, \$2,000; the appraisers, upon investigation, allowed them, for the old road, \$75, and for a bridge, &c., in all to the amount of \$201.50; they were told, that

if they persisted in their claim of pay for the road, the company would not go on with the work, but would apply for a repeal of the 11th section. They did nothing towards making the road until Dec. 1828; the proprietors at West Troy were allowed \$1,500 damages, which the company deemed too much. On the 3d Dec. 1828, the company finally determined to apply to the Legislature for amendments; an alteration was made in the southern termination of the road, also at the northern termination of the road; the two terminations were cut off about 40 rods, or over, at each end; an alteration in the toll was made also; an alteration was made in the bed of the road. Jeremiah Schuyler came down after the bill was drawn, and requested a meeting of the directors; the directors met 2d March, 1829; the directors had the act of '29, as it passed, before them; the meeting was full; they had some difficulty in settling the toll; Mr. Pierce, stage proprietor and director, opposed raising the toll on stages. The 11th section was then discussed; they had the remonstrances before them; Jeremiah Schuyler moved to abandon the amendment proposing to make the farmers pay toll; his motion prevailed by 5 to 4. Witness then told them he would have nothing more to do with the road, and took his hat to leave the room; some others of the directors were on the point of following him; Mr. Leonard then observed that he did not see why the farmers should go free and not the mechanics, and he would change his vote; the vote was then again taken, and stood 5 to 4 for the amendment to retain the clause to repeal the 11th section. Mr. Schuyler said he should resign his seat as a director, and do what he could to prevent the passage of the act; that he felt bound to do so, as he had obtained signatures to the petition, by assuring the farmers that they should go toll free. Up to this time, nothing had been done towards making the road; it was delayed to get relief from the heavy assessments, and to get the 11th section repealed. The Port-Schuyler company laid heavy claims for their lots; charged high for gravel—from 10 to 12½ cts. per yard. From the time the repeal of the 11th section was first spoken of, there never was any concealment on the part of any of the directors, so far as witness knows, to avoid its being known. Respecting the notice, they had difficulty with the commandant of the arsenal lot, and were not able to specify definitely what alteration they would eventually make in the road; they therefore inserted "and for other purposes." Mr. Hillhouse complained occasionally about the farmers paying toll; on the 10th June last, the board resolved to make Mr. Hillhouse pay toll.

In June, 1834, when this resolution was passed, Mr. Hillhouse's family carriage was exempted from toll, for the reason that he claimed to have rendered the company services for which he had received no remuneration. Jeremiah Schuyler was exempted from toll, because he had been one of the acting committee in constructing the road, for which he had never been paid; the other members of the committee had been paid for their services; the dividends have not amounted to seven per cent; they keep from 10 to 12 men employed, never less than three, in keeping the road in re-

pair. The stock has never been all taken; there has been 186 shares taken up since the act of '29 was passed; 730 shares have been transferred since the act of 1829. In 1832, paid \$248.20 for taxes on the road; in 1833, \$569.40; in 1834, \$270.10, and in 1835, \$284.20. The road is assessed at \$73,000. In June '31, witness paid the commissioners of the town \$201.50. The old road was very bad, and had been so for many years. In 1828, the road was so bad, that the stages did not pass between Albany Troy for 4 or 5 days. The board of supervisors, after an examination by a committee appointed for that purpose, declined taking the road under the law of 1828.

The \$500 bridge spoken of by Mr. Ten Eyck, was paid to the trustees of Gibbonsville, partly in money and partly in widening the road through the village; the estimate for the bridge was, as witness thinks, \$700; the money paid was \$50. The travel of stages is more injurious to the road than the farmers' wagons.— The stock was not all subscribed in 1828, nor is it all taken up now. The bridge was the prime object for which the village claimed damages. The stock cannot now be had at par; previous to the alteration of the charter, about \$60,000 of stock was subscribed; this amount of subscription was obtained with much difficulty; it was not expected that that would build it. The actual outlays have been over \$75,000; 840 shares, at \$90 each, paid in, have been expended on the road, besides \$1,200 from the United States for a change in the route of the road.

Dont know what the stock is worth now; has heard that the stock has been sold at 25 per cent above par; they have been repairing the road every year. Thinks the road will resist rain better than when it was new, but cannot discover that it resists the effects of freezing and thawing better than when it was new; thinks the costs of repairs for the next five years will be less than for the last five. Dont know whether the opening of the subscription was advertised; a committee of the directors was appointed to solicit subscribers to take stock; has recently been unable to sell stock at 15 per cent. S. Van Rensselaer, Jr., witness understands, applied for stock after the amendment of the charter, but did not get it, owing to a difficulty between him and Mr. Dunlop; the cutting off the ends of the road saved the company an expense of say \$8,000; thinks there was no alteration in the tolls only on stages; (witness refers to the act for the alteration,) have divided as high as \$4 upon the share, semi-annually; but this was through mistake; the tolls have not, for any one year, enabled them to make a dividend of \$4 on the share, semi-annually. Dont know, that at the meeting on 3d Dec. 1828, it was determined to ask a repeal of the 11th section; his impression is, that he drew the notice of application to the Legislature; similar notices had been published; the law officer of the board did think the notice sufficient to comply with the requirements of the Revised Statutes; this opinion of the counsel was obtained after the notice was published.

J. T. B. Van Vechten. At the solicitation of Mr. Dunlop, witness subscribed for stock; at the first meeting after the board organized, witness was elected a director and appointed secretary of the board; he kept the minutes. In the fall of '28, a variety of alterations were spoken of at the meetings of the directors; at a meeting on the 3d Dec. 1828, the amendments were severally discussed; it was then determined to apply for amendments to the charter for one particular object, and for other purposes; witness thought the notice insufficient; he was answered that the notice was sanctioned by numerous precedents; the object of the notice in the form published, was to enable the company to make other alterations in the charter, should they be deemed necessary. The repeal of the 11th section was not finally determined upon until the 17th December, the day the notice bears date. The resolution directing the publication of notice was adopted on the 3d Dec. On the 2d March, '29, when the bill was before the Legislature, Jeremiah Schuyler called on witness to know by what authority the repeal of the 11th section was contained in the bill; he was referred to the resolution on the minutes; this resolution authorized a committee of the board to ask for leave to abandon part of the road, and for such other alterations as the committee thought proper. Mr. Schuyler declared that no such resolution had been adopted. A meeting of the board was immediately called; at that meeting, Mr. Schuyler and witness had a controversy about the fact whether such a resolution had ever passed; the board decided that the resolution had been correctly entered. The bill before the Legislature was then taken up by the board, and discussed section by section. When the repeal of the 11th section came under discussion, Mr. Schuyler opposed it, for the reason that he had obtained signatures to the petition in Watervliet, on the ground that the farmers should be exempt from toll; he was answered, that that engagement had been complied with; that the road had now passed into the hands of directors, and other interests were engaged in the matter who could not be bound by that agreement. The question was then taken on that clause of the bill, and it was determined by one vote to strike it from the bill. Two or three of the directors then declared that they would have nothing more to do with the road; Mr. Learned then moved a reconsideration; the motion prevailed, and they determined to go on for the amendment. Mr. Schuyler became very angry, and determined to go home and let the people know that the application was for a repeal of the 11th section; that he did inform his brother at Watervliet of such application.

Gen. S. Van Rensselaer was unwilling to take stock, but was pressed by witness after the amendment to take stock; Gen. Van Rensselaer consented to take stock, but owing to a difficulty between Mr. Dunlop and Gen. Van Rensselaer, he did not get it; efforts were made to get the stock taken up in 1828. There was nothing secret about the application to the Legislature; Mr. Schuyler was determined to make all the opposition he could; he was never given any thing to quiet his opposition that witness knows of.

There never was any inducement held out for the purpose of quieting opposition, that any individual should go toll free. Notice was given of an application to the Legislature last winter for certain amendments. Mr. Hillhouse, one of the committee to forward the application, wished the Legislature to settle the question, whether those living within a mile of the gate should go toll free; Mr. Wasson, one of the committee, did not agree to the proposition, and in June last, a resolution was adopted to exact toll from all. Mr. Hillhouse's family carriage was, by another resolution, exempted from toll; Jeremiah Schuyler was also exempted from toll; previous to June, toll was not exacted from those living within a mile. Nothing was done with the intention of making this road until after the amendment was obtained.

Witness understood, and it was the understanding of the directors, that the appraisement to the commissioners of highways was unjust; that they had no claim, and that the whole appraisement was too high, and unless they could obtain an equivalent from the Legislature, by subjecting the farmers to pay toll, the road would not have been made. Has known instances where the rights of corporations and individuals have been materially affected by acts of the Legislature, under similar notices to the one given by the company, but cannot cite any particular case, not having examined the subject since the notice was a subject of discussion by the board.

Gen. S. Van Rensselaer, Jr. Is a director of the turnpike company; became a stockholder after the law was amended; was offered stock before the amended law passed, but would have nothing to do with it, for the reason that the inhabitants of the town were to go toll free. There never was any thing like a disposition in the directors to conceal from the farmers of Watervliet the application to amend the law, so as to repeal the exemption clause; it was an open transaction. Their assessment for highway labor is higher now than it was previous to the construction of the turnpike.

Was opposed to the road on account of its location, which he considered would injure his father's property by passing near the house through the yard; he considered the stock would not be good; as soon as the amendment was passed he was in favor of the road. The enterprize he deemed a hazardous one; the road has materially enhanced the value of the lands through which it passes. He opposed the road on account of its proposed southern location, and declined taking stock because the charter contained the exemption clause.

John Townsend. Never said that the application for a repeal of the exemption clause was wrong, and that he would so represent it to the committee of the Assembly. The directors determined not to go on with the road unless the repeal of the exemption clause was effected. The application for the repeal of the clause was never concealed from the farmers, but it was open

and undisguised, and frequently talked about. In 1829, pending the application for the repeal of the exemption clause, Mr. Burt, chairman of the committee, called on witness two or three times, stating that the people of Watervliet were running him down about the road; witness told him he must do as he thought proper about it; that the road would not be made unless the bill passed, and the committee must do as they pleased; that he should not go to the Capitol about it. The notice was pronounced to be sufficient by Judge Spencer, to whom it was submitted by witness. Witness and Mr. Dunlop were a committee to promote the passage of the bill; witness never called upon a member in behalf of the application; never submitted the opinion of Judge Spencer to the board. The principal object of the application was to get a repeal of the exemption clause. The road has enhanced the value of the property through which it passes very much. The stock is all subscribed now; Mr. Hillhouse took his stock after the amendment; he sold out the stock which he took previous to the amendment at par.

Robert Dunlop, was one of the first applicants for the road; he lived on the line of the road. Is acquainted with Col. Francis Lansing; thinks he never told him that the company did not intend to apply for a repeal of the 11th section; thinks he never told Jeremiah Schuyler that he considered the application to the Legislature for a repeal of the 11th section unjust, and that he would so represent it to the committee of the Assembly. Witness lived in Watervliet, and considered himself as having an interest in retaining the 11th section, but never concealed from any one that the company were applying for a repeal of the 11th section, and the subject was frequently spoken of in Watervliet. There was difficulty in getting the stock taken up, but before the books were opened, there were plenty of applicants for the stock; the stock was not sought for when the provisions of the original law became public. Considers the value of his property as enhanced in value by the road; lives a mile or over north of the gate, and is subject to toll; he considers his property doubled in value; has no doubt that the road would have been abandoned but for the passage of the act of 1829. Witness was indifferent whether the law passed or not; felt an interest in going toll free. He now owns about \$18,000 of the stock, and has an interest in retaining the law as it now is. Is not certain whether he paid any premium for his stock; could have had the whole of the stock previous to the amendment, as every one appeared willing to part with it. He voted for a repeal of the 11th section on the 2d March, 1829; purchased stock from a number of persons in different small lots.—The subject of the amendment was a common topic of conversation in the town; cannot name any particular individual by whom it was spoken about; he was frequently in at Nash's tavern, where he often met Judge Ten Eyck; the subject of a repeal of the 11th section was frequently spoken of there. He put the notice in the papers, but thinks he did not draw it; he thought the notice was a

proper one. Witness was opposed to Gen. S. Van Rensselaer having stock in the company on account of personal difficulty between them; this was after the amendment was passed. Gen. Van Rensselaer refused to take stock.

(A.)

Certificate of Jeremiah Schuyler, referred to in the testimony.

At the last meeting of the board of directors of the Watervliet Turnpike Company, it was then determined that the charter of said company should not be altered so as to charge the farmers of the town of Watervliet for toll on said road, unless they were carriers of passengers: this alteration was proposed by some of the board. I told them that I felt myself in duty bound to oppose any such amendment; in consequence of which, a vote was taken, that no application should be made for any such alteration in said charter. As witness my hand this 23d Feb. 1829.

JEREMIAH SCHUYLER.

STATE OF NEW-YORK.

No. 60.

IN SENATE,

February 26, 1835.

REPORT

Of the Comptroller, in relation to the steam dredging machine belonging to the State.

COMPTROLLER'S OFFICE, }
Albany, Feb. 23, 1835.

The Comptroller respectfully submits to the Legislature the following communication:

In the year 1827, an act was passed, (chap. 296 of the Laws of that year,) appropriating the sum of fourteen thousand dollars from the State treasury for the improvement of the navigation of the Hudson river, from the State sloop lock at Troy, to the deep waters at or below the village of Coeymans. It was provided in the law, that the money appropriated should be expended under the direction of the Canal Commissioners, in constructing "an improved dredging machine," to be worked by a steam engine, together with boats and scows to attend the same, and all necessary engine tools and implements; and the Commissioners were prohibited by the act from doing any act for the improvement of the river navigation, which should incur an expense on the part of the State beyond the appropriation then made.

The 2d section of the act prohibited the payment of the fourteen thousand dollars to the Canal Commissioners, until satisfactory security was given to the Comptroller, that such sum, not less than seven thousand dollars, would be paid by individuals, companies or corporations, as should be sufficient to keep the dredging machine in operation for at least two years.

This sum was raised by the corporations of Albany, Troy, Lansingburgh and Waterford; and by the aid of a subsequent appropriation of \$2,000, by chap. 374, of the Laws of 1829, the steam dredging machine was constructed.

The report required of the Commissioners by the act of 1827, may be seen by reference to page 207, of the Journals of the Assembly for 1829; the vouchers required by the 2d section of the act of 1829, were furnished to the Comptroller. The total sum expended by the State for the dredging machine, was \$16,000.

After the expenditure of the money raised for the purpose of keeping the machine in operation, it was brought into the basin, and sometime thereafter was ascertained to be in such a condition as to require an expenditure of several hundred dollars to preserve and keep the machine afloat. There was no express authority for the Canal Commissioners or the Comptroller to expend money in repairing or preserving the dredging machine; but as it was occasionally needed to clear out the channel from the side cut to the river at West Troy, it was concluded, on a submission of the question to the Canal Board, that the acting Commissioner should make the expenditures required to preserve the dredging machine during the winter; and he accordingly did so; and the vouchers for this expenditure were allowed to him, as the acting Commissioner on this section of the canal. The sum thus expended amounted to about \$300.

In 1833, the Comptroller made an arrangement with Harman V. Hart, to take charge of, and repair the dredging machine, and to use it to indemnify himself for his expenses in repairing it. From the spring of 1833 to the present time, he has had the custody of it, and has expended, as he states, about \$1,800 in repairs. He has used the machine in excavating for the Hudson and Delaware canal company, the Hudson and Mohawk rail-road company, and the Albany pier company; and he was also employed in deepening the channel at the overslaugh in 1833. The machine has also been used in excavating between Albany and Troy, and at Troy. When employed in the latter service, the inhabitants of Troy worked the dredging machine at their own expense.

Since the machine has been in the custody of Mr. Hart, nothing has been expended by the State to repair or preserve it; and on the 30th of June, 1834, Mr. Hart paid one hundred dollars into the State treasury on account of the use of it.

The dredging machine is now out of repair, and an application has been made for the use of it the coming season; and those who are to use it, wish to know whether it can be procured, in order that preparations may be made for repairing it; or if it cannot be obtained, that it may be known in time to enable them to construct a new machine.

The Comptroller therefore recommends that the dredging machine be given into the hands of the corporations of Troy and Albany, or either of them, requiring bonds to be given to keep the machine in good repair, and subject at all times to the requisition of the acting Commissioner on this line of the canal, or the Comptroller, whenever in the opinion of either, it shall be necessary to clear out the channel at the side cut opposite Troy, or at the connection of the canal with the Albany basin. The machine to be used at all other times as the said corporation or corporations may direct; and when used on the requisition of the Commissioner or Comptroller, the expense of working the machine to be paid for by the State.

If the corporations of Albany and Troy do not agree to take the dredging machine together on these terms, it might be sold to the city making the best offer, with the reservation in any case of the use of the machine for the State as before mentioned.

There was a small boat as a tender to the dredging machine, constructed with a steam engine, for the purpose of towing the scows when filled, from the place of excavation to the place of deposite. This boat was so far decayed, and such depredations had been committed upon the machinery, that the engine was taken out of the boat and removed to the furnace of I. & J. Townsend, where it lay exposed to the weather for a year or two, although efforts were made to dispose of it. During the last year, the Messrs. Townsend offered \$500 for the engine, and the Comptroller made the sale to them at this price; and on the 9th day of December, 1834, they paid the amount into the treasury.

A. C. FLAGG.

STATE OF NEW-YORK.

No. 61.

IN SENATE,

February 7, 1835.

ANNUAL REPORT

**Of Aaron Parsons, an Inspector of Sole Leather for
the county of Cayuga.**

To the President of the Senate of the State of New-York.

As one of the inspectors of sole leather for the county of Cayuga, permit me, sir, through you, to present my report to the Legislature of this State, as I am by law required.

Since my last report in 1834, up to the 1st day of January, 1835, I have inspected, weighed and sealed 3,206 sides of sole leather, which I considered of the quality good, except 233 sides, which I stamped bad.

Fees,	\$128 24
Expenses,	77 17
	<hr/>
Profits,	\$51 07
	<hr/>

All which is respectfully submitted.

AARON PARSONS, Inspector.

Moravia, Cayuga co. N. Y., Feb. 2, 1835.

STATE OF NEW-YORK.

No. 62.

IN SENATE,

February 7, 1835.

ANNUAL REPORT

Of H. R. Halsey, an Inspector of Beef and Pork in
the county of Seneca.

TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.

The undersigned, inspector of pork and beef, residing in the town of Lodi, in the county of Seneca, respectfully reports, that during the year ending on the 31st day of December, last past, he has inspected the following number of barrels of pork and beef, to wit:

	117 bbls. mess pork,
	240 bbls. prime pork,
	4 bbls. thin mess pork,
Total,	<hr/> 361 bbls. pork. <hr/>

	5 bbls. mess beef,
	3 bbls. prime beef,
	1 bbl. cargo beef,
Total.	<hr/> 9 bbls. beef. <hr/>

Value of pork, at \$9 per bbl..... \$3,249 00

Value of beef, at \$5.75 per bbl..... 51 75

Fees, \$55 50.

H. R. HALSEY, *Inspector.*

Lodi, January, 1835.

[Senate No. 62.]

STATE OF NEW-YORK.

No. 63.

IN SENATE,

March 3, 1835.

REPORT

Of the Comptroller, on the petition of Jabez Burrows.

COMPTROLLER'S OFFICE, }
Albany, March 2d, 1835. }

The Comptroller, on the reference from the Senate, of the petition of Jabez Burrows, late collector at West-Troy,

RESPECTFULLY REPORTS AS FOLLOWS:

The petitioner was collector of canal tolls, at West-Troy, from 1824 to 1829. It is true, as stated in the petition, that every captain of a canal boat, commencing a voyage, was required to take a clearance, and to deliver it to the collector at the place of destination, or to leave it at the last collector's office passed by the boat. At the close of the navigation, the collector is required to return to the Comptroller's office all the clearances thus deposited with him. The original clearances are sometimes essential in settling, satisfactorily to all parties, the lists of errors growing out of the checks kept by the collectors upon each other.

The manner of checking the accounts of collectors in 1824, was more full than at present. It was as follows: When a clearance was issued at West-Troy, on a load of merchandize destined to Buffalo, the sum paid for toll thereon was receipted on the clearance by the collector; when this boat arrived at Schenectady, the clearance was examined, and the collector at West-Troy was charged on the rolls of the collector at Schenectady with the sum which he had receipted on the clearance. The same thing was

done at Little-Falls, Utica, Rome, and every other office between West-Troy and Buffalo. These checks were entered upon the rolls of all the collectors, which rolls were returned to the Comptroller's office; and the original clearance should have been left with the collector at Buffalo, and returned to the Comptroller's office after the close of navigation.

The rolls of the several collectors for 1824, 1825 and 1826, were compared, and the collectors were charged and credited with the various errors detected by this mode of checking each other's receipts and calculations of toll.

In 1824, the balance of errors against the petitioner, amounted to \$301.82. Some of the items of errors for 1824, are as follows:

Boat Mermaid: 4 collectors on the Erie canal charge collector at West-Troy, \$8.63, which he has omitted to enter on his roll.

Sea Serpent: 4 collectors west of him, charge the collector at West-Troy with \$13.72, which is omitted on his roll.

Waterloo Trader: 4 collectors west, charge the collector at West-Troy with \$70.13, which he does not account for. It appears that this boat cleared from Albany with 4 tons, 19.3.22; when it arrived at Schenectady, it had on 16 tons, 16.0.

Enterprise: It appears from the rolls of the collector at West-Troy, that this boat cleared from his office, and paid Staats, collector at Albany, \$170.96: 4 collectors west charged this sum to the collector at West-Troy. It appears by a memorandum on the error book, that in 1827, Mr. Burrows admitted that he had found this \$170.96 on his cash book.

The residue of the amount of errors of 1824, is made up of small items, from 12 cts. to \$9. In 1825, the petitioner was charged with \$395.16, for balance of errors, which he paid. In 1826, the balance charged to him for errors, was \$205.78. This sum is made up, generally of small items, and the list of errors covers 17 closely written pages in the error book, and embraces the errors made at the office in West-Troy, in relation to 250 boats.

In 1827, the balance due from the petitioner was \$505.41.—When called upon for this sum, he asked for delay in order that he might examine into the matter. This request was granted. On the 19th of March, 1830, having satisfied himself as to some of the

items, he paid to the Commissioners of the Canal Fund \$250, and asked for further delay, and intimated at various times when called upon to close the account, his intention of making application to the Legislature for relief. In this way the account has remained unsettled to the present time.

When each collector kept a check upon every other collector, it was not deemed so essential to have the original clearance, as it now is, when the check is kept only by the collectors on each side of an office. In the case of the petitioner, all the large sums charged to him as errors, were found charged in the same way by four different collectors. These charges were made by each collector on examination of the clearance itself, and the proof of the error and receipt of the money by the petitioner or his clerk, is sustained by the concurrent testimony of four different witnesses. It cannot be supposed that the production of the original clearance would show a state of facts differing from the testimony of the four collectors, who have charged the sums to the petitioner. The clearance, it is true, would show which of his clerks received the money; but for their acts he is responsible.

In the opinion of the Comptroller, there is no reason for relieving the petitioner from the payment of this balance, which would not apply to the balances of errors charged to collectors generally on the canals.

Respectfully submitted.

A. C. FLAGG.

STATE OF NEW-YORK.

No. 64.

IN SENATE,

February 26, 1835.

REPORT

Of the Canal Commissioners, on the petition and remonstrance of inhabitants of the village of Oxford.

The Canal Commissioners, to whom was referred, by the Senate, a petition, and also a remonstrance, signed by several inhabitants of the village of Oxford, submit the following

REPORT:

The petitioners allege that the chief part of the village of Oxford, including all the public buildings and a majority of the dwellings and of the inhabitants, are on the east side of the river: that the east and west side of the river are united by a bridge, which has often been carried away by the floods of the river: that the river is boatable for twenty or thirty miles above the village, and on its whole extent below. They state further, that rafts, arks and boats annually descend the river with the timber and produce of the country; and that it is important to a large district of country on that side of the river to have a communication by a lock between the river and canal, which is located on the west side of the river.

The petitioners ask the Legislature to direct the Canal Commissioners to open said communication by a lock.

The petitioners are probably correct in saying that the chief part of the village of Oxford is on the east side of the river. The canal is located on the west side, and a connexion between the

canal and river would, no doubt, be convenient to the business on the east side of the river.

The canal is located near the margin of the river where it passes through the village; and if the proposed connexion with the river is not made, property destined for the east side must be carried over a bridge which crosses the river, near the centre of the village. This is a free bridge, of two or three hundred feet in length, and the necessity of carrying property to and from the canal across it, should not be considered burthensome; but it is proper to remark that the canal passes near the end of the bridge; and that between it and the river there is not sufficient space for a basin. The landing of property at this point would be inconvenient, and probably render a resort to a basin, on either the south or north side of the village, necessary.

The canal approaches near the river, about fifty or sixty rods above the bridge, and a convenient location is offered for a lock. A mill dam below the bridge raises the water at this point, to a sufficient depth for boat navigation, and crossing the river in this pond to the east shore would not be attended with any difficulty.

The difference in the level between the canal and river, could be overcome by one lock of five feet lift. It would be necessary to construct this lock in such a manner as to form a guard to the floods of the river. Since the reference of this petition, the Commissioners have obtained an estimate from the resident engineer on that section of the Chenango canal, of the cost of constructing the lock aforesaid.

The estimate of the engineer is based on the plan of a lock similar to those on the Chenango canal, and including the expense of opening a communication with the river, and the necessary guard to secure the canal from the floods, amounts to \$3,845. This estimate accompanies this report.

This would be a river lock, difficult to rebuild or repair, and should be constructed of stone, laid in hydraulic cement, or on some plan, which would obviate the necessity in rebuilding the wooden chamber of the lock, to take up that part of it which is below the surface of the water. A change of plan to obtain this object would somewhat increase the estimate of the engineer.

At a sufficient rise of water, arks and rafts descend the Chenango river from above Oxford to Binghamton, but it is believed that boats seldom appear on the river.

In reference to the use of arks or rafts, of sawed lumber on the canal, a connection with the river, would be found in practice, not very beneficial. Arks for canal navigation are found to be inconvenient, and thus far all attempts to use them have been unsuccessful. The rates of toll on sawed lumber when carried in rafts are so high, as effectually to prohibit this kind of transportation.

The remonstrance against the construction of the aforesaid lock urges that it would be injurious to, and operate unjustly on, the property of Jonathan Baldwin, through whose farm the canal passes, and "who has appropriated one acre of land for a basin, and has generously signed off, and relinquished all claims upon the State for damages;" and that it is "unreasonable in individuals to ask the State to appropriate their funds to an object, for the gratification of a very few, and where, in all human probability, there will not boats enough pass or repass, within half a century, to pay expenses of tending the lock."

The canal passes through the farm of Jonathan Baldwin; whether he has released his claims for damages is not now recollected, and it is probably true that he has appropriated one acre of his land for a basin; though the fact is not known to the Commissioners.

The farm of Mr. Baldwin lies contiguous to, or extends into the village of Oxford, and it is believed that the lock in question, if constructed, would be located on his land; but not on the land appropriated for a basin.

The Commissioners cannot conceive how the construction of the lock could be injurious to the property of Mr. Baldwin, unless it would be in diverting a portion of the anticipated business at his proposed basin.

The construction of the lock in question will not probably bring to the canal any additional property, nor increase the tolls, but would be an accommodation to the business on the east side of the river, to which the inhabitants on the west side can have no reasonable objections.

The Commissioners have stated the probable cost of constructing the lock in question, the advantages resulting from it, and the propriety of making necessary appropriation is, as they conceive it should be, submitted to the wisdom of the Legislature.

All which is respectfully submitted.

W. C. BOUCK,
JONAS EARLL, Jun.
MICHAEL HOFFMAN.

Feb. 25th, 1835.

DOCUMENT.

Estimate of the expense of a lock at the Oxford basin, opening a communication with the Chenango river at said place.

1,584 c. yds. earth excavation for pit,..	at 25 c. ..	\$396 00
1,056 " embankment,	at 15 c. ..	158 40
100 " slope wall,	at \$1,	100 00
190 c. yds. masonry, in hydraulic cement, at \$3.50,		665 00
531 " " laid dry.....	at \$1.95,.	1,035 45
352 c. feet white oak timber,	at 40 c. ..	140 80
72 " "	at 15 c. ..	10 80
1,170 " pine	at 25 c. ..	292 50
3,975 " hemlock	at 10 c. ..	307 50
507 feet board measure, white oak, .	at \$40 per M.	20 28
12,485 " " pine, .	at \$26 per M.	324 61
16,912 " " hemlock,..	at \$10 per M.	169 12
1,301 " " cedar,....	at \$40 per M.	52 04
		<hr/>
		\$3,672 50
Add 250 c. yds. excavation at foot of lock, at 25 c. ..		62 50
One towing-path bridge at head of lock,		110 00
		<hr/>
Whole expense,		<u>\$3,845 00</u>

ORVILLE W. CHILDS,
Resident Engineer, Chenango canal.

No. 65.

IN SENATE,

March 10, 1835.

MEMORIAL

Of the Chamber of Commerce of the city of New-York, adverse to an act regulating the weighing of merchandize in that city.

TO THE LEGISLATURE OF THE STATE OF NEW-YORK.

The memorial of the chamber of commerce of the city of New-York,

RESPECTFULLY SHEWETH:

That your memorialists have lately heard with surprise that an act is now before your honorable bodies, entitled "An act regulating the weighing of merchandize in the city of New-York," which, if passed, will entirely supersede the present mode of weighing, and take the appointment of public weighers from the common council of this city, in whose hands it has so long remained.

They have also just seen the report made by the special committee of the Senate in favor of the passage of the proposed law, which contains statements relative to alleged abuses of the present system of weighing which are entirely new to your memorialists, and they therefore take the liberty of respectfully replying to some of them.

In the first place they will remark, that they now learn for the first time, that a petition in favor of the proposed law was signed by "merchants, traders and others of the city of New-York." No public notice was given of such a petition being in existence before it left the city. No public meeting was called of those interested in the subject, as is usual in other cases of supposed grievances; and your memorialists would have remained ignorant of the fact but for the recent proceedings in the Legislature at Albany.

There are serious charges made against the merchants and traders of New-York, in this report, which should be carefully examined into before they receive the sanction of your honorable bodies.

It is stated that the sellers of merchandize are in the practice of improperly interfering with the impartial discharge of the duties of the present weigh-masters, by refusing to find them business unless they will act in favor of their employers, by allowing more than legal weight: That bargains are made with them to pay only a part of their legal fees, whilst the balance is retained by the sellers, who charge the full amount of fees to those who have consigned them goods for sale: That serious losses from short weight have become very frequent latterly, and it is implied that these mistakes are not the result of accident.

Your memorialists have no knowledge of the existence of those abuses, and they need scarcely assure your honorable bodies, that they would condemn them as fully as those who seek for an alteration in the law.

The merchants and traders in New-York are buyers of merchandize as well as sellers, and of course equally interested in seeing justice done to both parties.

If the grievances mentioned really exist, they can be very easily and promptly remedied under the present law; the person aggrieved in any particular case, or any one who becomes acquainted with improper conduct on the part of a weigh-master, has only to make a complaint to the common council, and the delinquent will be speedily removed.

Your memorialists think that this would be the most effectual and speedy method of obtaining justice, as the parties and their judges are all on the spot; facts can be ascertained immediately, and acted upon at once, and punishment instantly follow the crime.

In all cases where such serious charges are made against so large a body of citizens as the merchants, traders and weigh-masters of this city, common justice would seem to require that the accused parties should be heard in their defence, and that at least they should not be condemned on ex parte statements which may have been made by interested persons.

About seventeen years ago the common council altered the then existing law, by appointing a weigher-general and deputies; but it was found to give such general dissatisfaction, and to create so much confusion, it was speedily repealed, and ever since the present regulations have been found to answer well.

If any new alterations were required, they would long since have been asked for by those who felt themselves aggrieved, and it seems scarcely possible that such flagrant breaches of duty on the part of the weigh-masters could have occurred without having been made the subject of open complaint and legal inquiry.

The common council will undoubtedly, whenever called upon, give instant attention to any complaints of malpractices, and their regard for the character of the merchants and traders of the city would induce them to dismiss from office any weigh-master who could so far forget his oath as to act partially in any case.

By the new law it is proposed to appoint one weigher-general and not more than thirty weighers, who are to attend to the weighing of merchandize in this city. The weigher-general is to keep an office for the reception of orders from the owners or agents of merchandize, and he is to send one of his deputies to attend to each call; and in case there is more business on hand than those thirty weighers can attend to, the weigher-general is to appoint additional weighers, whose office is to cease when the particular duties for which he appointed them, are performed.

Your memorialists would respectfully ask, whether it will be possible for the weighers, if so appointed, to do justice to the magnitude of their duties? In what part of this greatly extended city can the weigher-general keep an office to which it will be convenient for those to send applications, who are under the necessity of making an *immediate* delivery of their merchandize?

It frequently happens that the sale of an article depends upon the quickness with which it can be delivered. How then can it be just or proper to require the owner or the purchaser of merchandize, for whose benefit the law is professedly made, to wait the convenience of one of the thirty weighers who may be engaged on duty in different parts of the city, or to call upon the weigher-general for the immediate appointment of a special weigher, to enable them to consummate a bargain?

Agreably to the present law, the weighers have particular places where they are to be found, and it rarely happens that more time is lost than is necessary to send for one or other of them.

The merchants can select such weighers as are found to be sober, attentive and correct in their returns, without being obliged to take men in whom they have no confidence.

The common council, whose duty it is to superintend the general interests of the city, can at all times appoint proper men as weigh-masters, and remove such as are found to be inefficient.

Whenever any alterations shall be found necessary in the present laws, they will doubtless be made upon the representation of those whose interests are most deeply affected; but until that time comes, your memorialists respectfully request on behalf of the merchants and traders of this city, that your honorable bodies will not pass the law at present under discussion.

By order of the chamber of commerce.

ROB. LENOX,
President.

JACOB HARVEY, *Secretary.*
New-York, March 5, 1835.

STATE OF NEW-YORK.

No. 66.

IN SENATE,

March 7, 1835.

REPORT

**Of the Superintendent of Common Schools, on the
education of the deaf and dumb.**

**STATE OF NEW-YORK, }
SECRETARY'S OFFICE. }**

Albany, 7th March, 1835.

TO THE LEGISLATURE.

By the provisions of title third of chapter fifteenth of part first of the Revised Statutes, it is the duty of the Superintendent of Common Schools, as visiter of the incorporated institutions for the instruction of the deaf and dumb,

“1. To inquire from time to time into the expenditures of each institution, and the systems of instruction pursued therein, respectively:

“2. To visit and inspect the schools belonging thereto, and the lodgings and accommodations of the pupils:

“3. To ascertain, by a comparison with other similar institutions, whether any improvements in instruction and discipline can be made; and for that purpose to appoint, from time to time, suitable persons to visit the schools:

“4. To suggest to the directors of such institutions, and to the Legislature, such improvements as he shall judge expedient.

“5. To make an annual report to the Legislature on all the matters before enumerated, and particularly as to the condition of

the schools, the improvement of the pupils, and their treatment in respect to board and lodging."

By various acts now in force provision is made for the education of one hundred and twenty deaf and dumb pupils at the public expense. The sum annually expended for the purpose is fourteen thousand four hundred dollars.

The number of pupils authorized to be instructed in the New-York institution, at the expense of the State, is ninety-six. The annual allowance for board and tuition is one hundred and thirty dollars each, amounting to twelve thousand four hundred and eighty dollars.

In addition to this provision the sum of five thousand dollars per annum was appropriated for the benefit of the New-York institution, by the act of 3d April, 1834, for the term of five years.

The number of pupils authorized to be instructed at the expense of the State, in the Central Asylum at Canajoharie, is twenty-four; and the annual allowance for board and tuition is eighty dollars each, amounting to one thousand nine hundred and twenty dollars.

On the 31st Dec. 1834, there were ninety-four pupils receiving instruction at the expense of the State, in the New-York institution. At the commencement of the term on the 1st of October there were ninety-six, the whole number of State pupils authorized by law to be received at that institution; but two of them died before the end of the year. These vacancies were filled on the 1st of February ult., so that the list of State pupils is again complete.

At the Central Asylum there were on the 31st December, 1834, twenty-four State pupils, the whole number authorized by law to be educated at the public expense.

The whole number of pupils at the New-York institution, on the 31st December, 1834, was one hundred and thirty-six; and the whole number at the Central Asylum thirty-one; making an aggregate of one hundred and sixty-seven deaf mutes actually receiving instruction on that day, at the two institutions.

The Superintendent is again under the necessity of expressing his regret that he has encountered great difficulty in filling the va-

cancies, which have occurred during the last year in the list of State pupils. Although the overseers of the poor are required, by the act of 23d April, 1832, to furnish to the Superintendent of Common Schools a list of the indigent deaf and dumb in their respective towns; and although a circular letter was addressed in 1833, as stated in last year's report, to the overseers of all the towns in the State, many of them have failed to comply with the law. It is possible that, in many of the towns from which no list has been furnished, there are no deaf and dumb persons at this time, although there were one or more in one hundred and seventy of those towns in the year 1830, according to the census taken in that year, under the authority of the general government. The enumeration of inhabitants to be made under the authority of the State, during the present year, will show the whole number of deaf and dumb persons, and the towns in which they reside, and will thus furnish the means of reaching them with greater certainty.

A difficulty has also been experienced in some cases, in prevailing on the parents of the deaf mutes selected as State pupils to part with them. Of the first eleven selected during the last year, five declined, and it became necessary to make other selections at a subsequent day to fill the vacancies. In some cases pupils are withheld because the parents are too poor or too sordid to dispense with their labors at home. It is gratifying to add, however, that the public bounty is rarely rejected on the latter ground. The cause is more frequently to be found in a total want of information as to the condition of the institution. To obviate this objection, pains will be taken hereafter, whenever a selection is made, to make the parents of the mute acquainted with the manner in which the pupils are provided for, both in regard to their comforts as well as their moral and intellectual improvement, and to communicate to them such intelligence on every matter of interest connected with the institution, as will be likely to influence their decision.

Annexed to this report will be found a list, marked A, of the State pupils selected by the Superintendent during the year 1834, for the New-York Institution and for the Central Asylum.

THE NEW-YORK INSTITUTION.

This institution is situate on New-York island, about three and half miles from the City-Hall, between the fourth and fifth ave-

nues. The position is elevated and airy, and probably as healthful as any other on the island.

The Superintendent visited the institution in October last, and found it in a condition, in all respects, creditable to those who are entrusted with its management. During the past season a third story has been added to the main building and divided into two large apartments, in which the pupils are now lodged.

The full report made by the Superintendent the last year, in respect to the economy with which the institution is managed, the order and discipline to which the pupils are subjected, the parental kindness with which they are treated, and the liberal provisions made for all their wants, renders it unnecessary to enter into any detail on these points. He will merely say that the institution continues to be conducted in all respects, in the same unexceptionable manner.

In the course of instruction, no material change has taken place since the last report. The institution has sustained a loss in Mr. Vaysse, a French gentleman, who has for several years been connected with the institution, as a tutor, and who returned to his native country last summer. It is gratifying to add, however, that his place is well filled. In the ability of the instructors the institution is highly favored: under their direction the progress of the pupils in the acquisition of useful knowledge is rapid and instruction thorough. The course of education has been much improved by bringing it to the test of philosophical investigations. The aim of the instructors in these investigations has been to ascertain the moral and intellectual condition of those, who are intrusted to their care previously to all instruction, and by combining with the fruits of their own observation, a critical comprehension of the methods of teaching, devised by the most distinguished instructors of the deaf and dumb, to furnish their pupils, in the shortest practicable period, with the most simple and efficient instrument of intercourse with the world, and of supplying, as far as possible, the place of that source of information from which they are cut off forever. The great end of their labors is to enable the pupil to communicate with facility with those among whom he is destined to move; and for this purpose the whole course of instruction, thus far, has been directed to the acquisition of written language. Sign language is so far employed as to teach the meaning of words and

the ideas which they represent, but beyond this it is not deemed desirable to continue it. Written language being the only medium through which the deaf and dumb can communicate with the world, it is considered important to employ it in all their exercises that they may be familiarly acquainted with its use.

It was the intention of the Superintendent to have referred more in detail to the course of instruction adopted in this institution; but the full report of the directors on this subject, presented a few days since to the Legislature, has rendered its execution unnecessary.

Among the improvements which have been made in the institution during the last year, the following are particularly worthy of remark:

1. The enlargement of the main building already referred to, by the erection of an additional story, and the more convenient arrangement of the rooms with a view to the various wants of the establishment.

2. The construction of a work-shop fifty-five feet by twenty-five and two stories high, out of materials composing the old roof of the main building.

3. The increased facilities in the mechanical department have led to corresponding improvement in the skill, workmanship and industry of the pupils engaged in the acquisition of trades.

4. There has been a small increase in the number of pupils, indicating in this respect, the flourishing condition of the institution.

5. The lectures and other improvements in the intellectual department, noticed in the last report, have been continued, and with gratifying success.

CENTRAL ASYLUM AT CANAJOHARIE.

This institution is situate about midway between the Erie canal and the great western turnpike, and is about seven miles from each. The surrounding country is productive and healthy, and in respect to salubrity of situation or economy of expenditure the position of the institution could not well be improved. These, however, are the only advantages connected with it, and they are combined with many inconveniences. The neighborhood is thinly inhabited; and, in a purely agricultural district, the objects which

address themselves to the sight are much fewer than in cities and large towns, where the division of labor is minute, and the various operations of productive industry present a multiplicity of subjects for investigation. When it is considered that the instruction of deaf mutes is conducted wholly through the medium of the sight, the importance of augmenting, to the greatest possible extent, the number and variety of visible objects will be readily comprehended. Nor is the position of the institution so easy of access as is desirable. It is on a road but little travelled, and which furnishes only twice a week the opportunity of reaching it by a public conveyance. The inconvenience, though not very serious, is sometimes a source of expense and trouble.

The act of April 18, 1831, under which the expenses of the State pupils instructed at the institution are defrayed out of the public treasury will expire, by its own limitation, on the 1st day of May, 1836; and it will soon devolve on the Legislature to determine whether the pupils shall be transferred to the New-York institution, or whether the act referred to shall be continued in force. If the State patronage should be withdrawn, the institution could not be maintained, as the whole number of pupils educated at the expense of their parents or friends does not average more than eight or ten, and the sum annually contributed by the State is its principal source of income.

To the discontinuance of this institution there is but one objection. It sometimes happens that the parents or friends of deaf mutes are unwilling to send them to the New-York institution, and in a few instances they have absolutely declined to do so. But these cases are rare, and if there was but one institution, their objection might not be insuperable.

It has been suggested that the institution might be removed to some place further west on the line of the canal, and it was understood at one time, that the inhabitants of the city of Utica were willing to provide a suitable lot and building if it could be established in their immediate vicinity. But any step which might lead to a further division of the patronage of the State between this institution and the one in the neighborhood of the city of New-York is greatly to be deprecated. Such a division would impair the present flourishing condition of the latter without raising the other to the same standard. One institution will be manifestly adequate to all the wants of the State for years to come; and it is

of the utmost importance that the public contributions to the support of the New-York institution should not be diminished. It is now in admirable condition, and its usefulness would be abridged by any reduction of its means. It might have been better in some respects if it had been established in a more central position; but the State has already expended on it large sums of money; and it is extremely doubtful now whether its removal would be either expedient or just. The city has contributed liberally to its establishment, and regularly provides for the support of eleven deaf mutes.

The advantage of having a large number of deaf and dumb persons in contact has been a matter of frequent observation. Every deaf mute without education employs, in his communications with others, a sign language of his own creation, and among those with whom he is in frequent contact many of his signs will be purely arbitrary. In his communications with strangers his signs must be natural and bear some analogy to the object represented, or they will not be understood. When two deaf and dumb persons, wholly uninstructed, are brought together, such of their signs as are merely conventional will be found to possess little in common. But after a very short intercourse each becomes familiar with the signs used by the other, and thus a more extended nomenclature, if it may be so termed, embracing a more extensive circle of ideas, becomes common to both. In proportion as the number of pupils is augmented the means of mutual improvement are multiplied, not only in the manner referred to, but from the greater stimulus to exertion, which is found in a wider and more varied field of intercourse.

The income of the Central Asylum is about \$2,500, of which the State pays \$1,920. Of its income \$700 is paid for salaries, \$400 to the principal and \$300 to an assistant, and \$150 for rent for the boarding-house in which the pupils are lodged and fed, and for the use of six acres of land. The residue of the income is absorbed by the current expenses of the establishment.

The property of the institution consists of a brick building of two stories, in which the pupils are instructed; a wood-house and four acres of land. The whole value of the property does not exceed six or seven hundred dollars, and the institution is \$250 in debt.

The only trades taught for the benefit of the pupils, are shoe-making and printing, both of which are carried on in the basement of the brick building. There is a very good printing press under the direction of Mr. Backus, a deaf mute, who has received an excellent education, and who assists the principal in the instruction of the pupils.

The females are taught knitting, sewing and house work. They mend their own clothes and those of the boys, and make garments after they are cut out. For the house work they are divided into classes and perform it in rotation.

In addition to the trades in which the boys are instructed, they are practised in gardening. They raise all the vegetables for the use of the establishment during the year, and the grain necessary for fattening all the pork required for their annual consumption.

Medical attendance is paid by the institution. For the year 1833, the whole bill for attendance and medicines was but \$14.

The house in which the pupils are lodged and subsisted, is at a considerable distance from the building in which they are instructed. This arrangement is exceedingly inconvenient at all times, and in bad weather endangers the health of the pupils. Should the institution be maintained, it is indispensable that a dwelling-house should be built, adjoining the one in which the classes are taught.

The proficiency of the pupils is as great as could be expected with the present means of the institution. The course of instruction is of five years duration, and the pupils must necessarily be divided into as many classes. To teach them there are but two instructors, one of whom is a deaf mute. This arrangement is certainly not favorable to the introduction of improved methods of teaching from abroad, or to those which experience may suggest at the institution. The principal deserves great credit for the economy, order and good judgment which he has carried into every department of the establishment, and he has accomplished all that could be effected with the means at his command. If it is maintained, it could not be in better hands. But it cannot be denied, that in an institution like that in the city of New-York, with larger endowments, more numerous instructors brought into daily contact, and profiting mutually by the fruits of their united obser-

vations, the pupils must make more rapid progress and be advanced to a higher grade of improvement.

Under all the circumstances, therefore, it is believed that the institution had better be discontinued. But should the Legislature prefer continuing it, it would be advisable that it should remain where it now is.

It would be a subject of deep regret, under any circumstances, if any measure should receive the sanction of the Legislature, which would impair the high standing of the New-York Institution: for if the present contributions to the support of both the existing establishments were to be equally divided between them, neither would possess the means of maintaining such a thorough course of instruction, as is necessary to raise the unfortunate class of persons confided to them, to that grade of moral and intellectual improvement, which may be attained under circumstances favorable to the development and cultivation of their faculties. The interest of the class referred to, clearly indicates that one institution only should be maintained.

Power of Supervisors of Counties to provide for the Education of Deaf and Dumb Children.

In the last annual report of the Superintendent in relation to the Deaf and Dumb Institutions, he referred to a provision of the act of April 16, 1822, Laws of 1822, chapter 234, by virtue of which the supervisors of counties were authorized to send to the New-York Institution, to be educated therein at the expense of the counties, any indigent deaf and dumb person remaining in the counties after completing the list of State pupils for the senate district, of which the counties were a part. This provision is still in force, but with the exception of the counties of New-York and Montgomery, it has until recently, been wholly inoperative from the failure of the supervisors to exercise the power referred to; in consequence of which, there are now to be found in the poor-houses of wealthy counties deaf and dumb children, who are fit subjects for instruction, but who are likely to be debarred forever the benefits of moral or intellectual cultivation. It is due to the board of supervisors of Dutchess county to state, that an application was made in December, 1833, to the Superintendent of Common Schools by the superintendents of the poor of that county, to place at the New-York Institution, as a State pupil, an interesting deaf and dumb girl, who

was at that time supported at the county poor-house. At his suggestion, the case was brought before the board of supervisors at their next meeting, and she was promptly sent to the New-York Institution, to be educated there at the expense of that county.

In last year's report, it was recommended by the Superintendent, that the exercise of the power referred to, instead of remaining discretionary, should by an act of the Legislature, be made imperative on the board of supervisors, whenever a proper application to them should be presented. Believing that such an act would be productive of great good, he begs leave again to call the attention of the Legislature to the subject.

JOHN A. DIX,
Sup't. of Common Schools.

DOCUMENT.

(A.)

State pupils selected for the New-York Institution during the year 1834:

Jacob Lagrange,.....	New Scotland,.....	Albany co.
Mary Dryer,.....	Oak Hill,	Greene co.
Joanna Perrigo,	Greenwich,.....	Washington co.
Sophia Main,.....	Norwich,	Chenango co.
Lyman Husted,.....	Manlius,	Onondaga co.
Phebe Osborn,.....	Castile,	Genesee co.
John W. Oliphant,	Lockport,	Niagara co.

State pupils selected for the Central Asylum during the year 1834:

Henry B. Crandall,	Watervliet,	Albany co.
Dinah Tuttle,	Geneva,.....	Ontario co.
Livy Waste,	Greenfield,	Saratoga co.
De Witt B. Holden,....	Livonia,	Livingston co.



STATE OF NEW-YORK.

No. 67.

IN SENATE,

March 13, 1835.

REPORT

Of the Comptroller, relative to printing for the Legislature in 1831, 1832, 1833 and 1834.

COMPTROLLER'S OFFICE, }
Albany, March 10, 1835. }

The Comptroller, in obedience to a resolution of the Senate, requiring a statement of the sums paid for printing for the Legislature, for 1831, 1832, 1833, 1834, and including the expense of printing for the present session,

RESPECTFULLY REPORTS:

That a statement has been prepared, and is annexed, furnishing the information required by the resolution, for the four years ending on the 30th of September, 1834.

The Comptroller has not the means of answering that part of the resolution which requires the expense incurred for legislative printing during the present session. It is estimated that the expense of printing for the Assembly to the present time, exceeds the expense for the corresponding period of last year's session, by about 25 per cent; and that the cost of printing for the Senate, is about equal to the corresponding period in 1834. Up to the 28th of February, the Documents ordered to be printed by the Senate, would make about 170 pages more than the Documents ordered by that body for the same time in 1834. The Assembly Documents, up to the same time, make 18 pages less than the Docu-

ments ordered for the same period in 1834. The multiplication of copies of Documents has been the cause of increasing the expense, and not an increase of the number of pages in the Documents published.

The expense of printing bills for the two Houses has been considerably increased for 1834, and will probably be still greater for 1835. This increase has been occasioned principally, by changing the mode of printing bills, from the ordinary paper, to foolscap paper, with spaces between the lines. This mode of doing the work is not authorized by the original agreement with the State Printer, made under the resolution of 1829, but is required by a resolution of the Senate in 1834, and subsequently, by a resolution of the House.

Respectfully submitted.

A. C. FLAGG.

STATEMENT showing the amount paid for printing Senate and Assembly Documents, Legislative Bills, Journals of the Senate and Assembly, and Session Laws, in the years, 1831, 1832, 1833 and 1834.

	1831.	1832.	1833.	1834.
Senate Documents,.....	\$1,885 10½	\$2,750 10½	\$4,280 39½	\$3,694 28½
Assembly do	6,054 10½	5,182 78	6,469 46½	8,199 21½
Legislative bills,	504 64	996 53	1,083 01	1,898 71½
Senate Journals,	718 32	764 76½	834 42½	846 03½
Assembly do	1,436 32	1,535 00½	1,587 25	1,709 15½
Session Laws,	1,253 12½	1,550 00	1,409 87½	1,565 63½
Total,....	\$11,851 61½	\$12,779 18½	\$15,613 92	\$17,913 03

STATE OF NEW-YORK.

No. 68.

IN SENATE,

March 10, 1835.

REPORT

Of the committee on State Prisons, relative to a prison for female convicts.

Mr. Macdonald, from the committee on State Prisons,

REPORTED:

That no adequate provision has yet been made by law for the confinement and discipline of the female convicts sentenced to the State Prisons of this State.

The number of this class of convicts in the whole State at this time amounts to forty-six. Of these twenty-seven are confined in the Auburn prison, who are subjected to a more wholesome discipline, and are in a more improved condition than they formerly were: But for want of room in their present location, they are necessarily permitted to associate together, much to the prejudice of the discipline of the prison.

The residue of the female convicts (19 in number,) are confined in the city of New-York, at an annual expense of one hundred dollars each for their support, which is paid from the earnings of the Sing-Sing prison. These convicts have constant and unrestrained intercourse one with another, without the least effort being made to restrain or reclaim them. In both cases not only are all hopes of reformation cut off, but what is vastly worse, the youthful and repentant, if such there be, mingling with the old and hardened offender, must inevitably learn and be confirmed in the ways of iniquity.

[Senate, No. 68.]

There cannot be a doubt, therefore, that the condition of these convicts may be very much improved; and the high character which our prison discipline has justly attained as it respects male convicts, seems to reproach us for our total neglect of those now under consideration.

It has been thought that a separate establishment, remote from the other prisons, would be the most beneficial for the purpose of reclaiming this class of convicts, as well as for the interest of the State: And such has been uniformly recommended for several years past, both in the annual messages of the Executive, and by the successive committees of the Legislature to which this subject has been committed.

On the first of January, 1832, the female convicts in our State Prisons had increased to about eighty. The project of a separate prison had been submitted to the Legislature several years previous to that time; and it was then again recommended and urged by the Executive and a committee of the Senate. Besides the other arguments in favor of this measure, the rapid increase of these convicts seemed to call for its adoption: Contrary, however, to the apprehension at that period entertained, the number of female convicts has gradually become less, and is at the present time greatly diminished. On the first of January, 1833, there were but sixty-one in confinement, and these have been since reduced, in January, 1834, to fifty-five; and now, in January last, to forty-six.

From this unlooked for and very considerable diminution in the number of this class of convicts, it may be doubted whether it would be expedient at this time to hazard the expense, as well as success of a separate prison. So evident a repugnance to the proposition has heretofore been manifested by the Senate, from the apprehension of expensiveness without a corresponding benefit, that it will not again be recommended.

It will be seen in the very able report of the Commissioners who have lately investigated the subjects connected with our State Prison system, that they recommend the erection of buildings near the existing State Prisons, for the females who may be sentenced to such punishment in the respective prison districts. The Inspectors of the Mount-Pleasant State Prison make the same recommendation, so far as it relates to that prison; and add, that the

funds of the prison will, in all probability, be quite sufficient to meet the required expenditure. The Inspectors of the Auburn prison also make substantially the same recommendation, by referring to the letter of the agent contained in their last report: And from a conversation had with the agent of the latter prison, there can be no doubt that its surplus income will be sufficient to cover the expense of the proposed building. If the project of a separate prison shall be given up, as the committee now advise, they agree in recommending the erection of buildings at each of the State Prisons for the confinement of all females sentenced to such punishment in the respective prison districts. The transportation of these convicts to prison, and their return when discharged, to the places of their residence, will be much less expensive and difficult, as the prison districts are now arranged, than the location of either prison would afford for the convicts of the whole State. It is probable, also, that they can be more conveniently and usefully employed if divided between the prisons as at present arranged, than if the whole were confined at either of them.

It should be added, that the corporation of the city of New-York, are understood to be desirous to get rid of keeping those female State convicts now under their charge; and indeed they have it in their power at any time to annul the agreement by which these convicts are kept. Hence the urgency of legal provision in relation to those now spoken of; for if dismissed from their present place of confinement, they would be without a legal local habitation: But indeed, as it will not be necessary to erect expensive buildings, and as the funds of the respective prisons will be adequate to the objects proposed, without requiring any appropriation from the State treasury, the committee hope that the plan now suggested will meet the views of the Legislature, and be finally adopted.

This committee, therefore, recommend that a law be passed to authorize the erection of prison buildings near to or adjoining the existing State Prisons, for the confinement of the female convicts of the respective prison districts: And for this purpose they ask leave to introduce a bill.

STATE OF NEW-YORK.

No. 69.

IN SENATE,

March 14, 1835.

REPORT

Of the Commissioners of the Land-Office on the petition of David S. Jones and Gerrit Smith.

The Commissioners of the Land-Office, to whom was referred by the Senate, the petition of David S. Jones and Gerrit Smith, respectfully submit the following

REPORT:

By the fourth section of the act, chap. 106 of the Laws of 1830, the Commissioners of the Land-Office were directed to cause certain lands in the village of East Oswego to be surveyed, appraised, and granted to the trustees of the village of Oswego; the grant to be made at the appraised value of the land. The land was surveyed, and is bounded on the east by Fourth-street, on the south side by Aries-street, on the west by the river or Lake Ontario, and extends so far north as to include all that part of the cove lying north of Aries-street, and contains seven acres and twenty-six rods of land. It was appraised at \$1,000, which has been paid, and the trustees of the village, or their assigns, are entitled to a grant pursuant to the statute.

The president and trustees of the village, in their petition which accompanies the papers, represent that the cove on the east side of the Oswego river had become a dangerous nuisance, occasioning the sickness of the inhabitants in its neighborhood; and that the corporation of the village applied for a grant of land including the cove, for the avowed purpose of enabling them to abate the

nuisance. It appears that a part of the cove was situate in Aries and First-streets, which were not included in the survey and certificate of sale by the Commissioners of the Land-Office. The corporation represent that they nevertheless supposed, from the words of the statute, that they had full power and right to perform the work, wherever needful, "to attain the great public object of the grant—the abatement of said nuisance;" and that this could not be effected without a large expenditure of money.

The corporation in the first instance, leased the premises to the petitioner, Gerrit Smith, for the term of 999 years, and took his obligation for the abatement of the nuisance; and subsequently, they sold the property and transferred the certificate to the petitioners, Messrs. Jones and Smith. The corporation now represent that the petitioners have, "at vast expense, abated the nuisance aforesaid, in a manner highly approved by the corporation, by removing the filth collected in the cove, and by excavating a basin fitted with all needful wharfage, and a sloop lock, which not only secures the original objects of the grant, but imparts great value to all the grounds in the vicinity, as well those still belonging to the State, as those heretofore sold to individuals, and furnishes great advantages to all concerned in the navigation of the lake; that the said Jones and Smith have laid out a street 33 feet in width around their said basin, and 50 feet therefrom, called "Basin-street," and have also laid out a street of like width, and extending from Basin-street aforesaid, to the termination of the wharf along the Oswego river at a point near the north line of Aries-street continued. The use of these streets will be important to our citizens and the public, and they contain an area nearly or quite as large as that portion of Aries-street lying west of Second-street." "To the end that said Jones and Smith, and all other persons holding under them, may feel more secure in the title to their purchases, and more encouraged to make valuable improvements thereon," the corporation pray that the patent may include parts of Aries and First-streets, provided certain covenants shall be inserted in the patent in relation to the public use of the improvements made by the petitioners.

The corporation say that the portion of Aries-street which they wish to have granted, "may never, and perhaps can never, be practicably a part of Aries-street, because at the intersection of Second-street with this, there is a precipitous bank of not less than

34 feet in height, extending northwardly with increasing height to the lake."

The Commissioners of the Land-Office have carefully examined the maps of the village and public property at Oswego, and the diagram and descriptions of the works of the petitioners, and are of opinion that a part of Aries and First-streets may be included in the grant to the petitioners, without any prejudice to the public interests; and this course is not only approved, but desired by the corporation of the village, who it may be presumed would not recommend a measure prejudicial to the citizens of that place. The Commissioners would not however recommend a grant of any portion of Aries-street lying east of the petitioner's works, nor any portion of First-street lying south of these works.

The petitioners applied for a grant before the commencement of the present session, when they were informed that the Commissioners of the Land-Office could only make the grant according to the original survey and certificate of sale, and in the usual form of letters patent. This decision has no doubt induced the present application to the Legislature.

Should the Legislature deem it proper to grant the prayer of the petitioners, it will be found somewhat difficult to specify in the act to be passed for that purpose the particular location of the land, or the terms and conditions on which the grant should be made, so as to fulfil the wishes of the corporation of the village, as far as may be consistent with the public interests. Should the Legislature be disposed to refer this question to the judgment of the Commissioners, it would be sufficient to enact, that "the Commissioners of the Land-Office shall include in the patent to be issued in pursuance of the fourth section of the act entitled, 'An act in relation to certain public lands in the village of Oswego,' passed March 31, 1830, so much of Aries and First-streets in said village as they may deem proper, and shall also insert in said patent such covenants on the part of the grantees as the public interests may require; which covenants shall run with and bind the lands granted, into whosoever hands the same may come."

Should an act of this description be passed, the papers which are herewith returned to the Legislature, ought to be filed in the

office of the Secretary of State, among the other papers relating to the public lands.

Respectfully submitted.

GREENE C. BRONSON, *Att'y-General.*

A. C. FLAGG, *Comptroller.*

JOHN A. DIX, *Secretary of State.*

WILLIAM CAMPBELL, *Surveyor-Gen.*

Albany, March 13, 1835.

STATE OF NEW-YORK.

No. 70.

IN SENATE,

February 27, 1835.

ANNUAL REPORT

Of the Regents of the University.

Albany, Feb. 26, 1835.

Hon. JOHN TRACY,

President of the Senate.

Sir—I have the honor to transmit herewith the Annual Report of the Regents of the University, to the Legislature.

I am, sir, respectfully,

Your obedient serv't,

S. VAN RENSSELAER,

Chancellor.

ANNUAL REPORT

REPORT, &c.

TO THE LEGISLATURE OF THE STATE OF NEW-YORK.

The Regents of the University, in discharging the duty required of them by law, to make an annual report to the Legislature, embracing a general view of the various matters contained in the returns made to them from the several colleges and academies in the State subject to their visitation, respectfully submit the following

REPORT:

That during their present stated session, the customary annual reports have been made to them from Columbia, Union, Hamilton, and Geneva colleges; from the College of Physicians and Surgeons of the Western District; from the New-York Institution for the Deaf and Dumb, and from sixty-three of the sixty-eight incorporated academies in the State subject to their visitation.

No report for the present year has as yet been received from the College of Physicians and Surgeons in the city of New-York, nor from the University in that city.

The academies from which returns were expected, but have not been received, are those of Greenville, in the county of Greene, Fort-Covington, in the county of Franklin, the Buffalo Literary and Scientific academy, the academy at Gaines, in the county of Orleans, and the Monroe academy, at Henrietta, in the county of Monroe.

The report from Columbia college represents the whole number of students matriculated for the sub-graduate course of instruction in that college, during its present term, to be 99; and the number in the grammar school, attached to the college, 260. Twenty-four graduates received the degree of Bachelor of Arts at the last annual commencement. The report states that "no students have entered the literary and scientific or voluntary courses during the present session."

It appears from the report of Union college, that its present faculty consists of a president and seven professors, an instructor of the French and Spanish languages, one tutor, and two fellows. The number of graduates admitted to the degree of Bachelor of Arts at its last annual commencement was 65, and the whole number of students matriculated in the college for the present year is 261.

From the report of Hamilton college, it appears that its present faculty consists of a president, four professors and a tutor, and that the whole number of students belonging to the college is 115, of whom 55 have entered during the present collegiate year.

The trustees of the college represent that during the two last years they "caused a subscription to be circulated in many parts of the State, for the purpose of raising \$50,000 as a permanent fund, the interest of which should be applied towards the payment of the salaries of the officers of the college;" that their efforts to raise such a sum have finally been crowned with success, the subscription being filled up, and the amount subscribed having thereby become payable in four equal annual instalments. When the whole fund shall be collected and invested, the trustees represent that the income from it, together with the ordinary tuition money of the college, will be sufficient to pay the salaries of all their present officers.

It appears from the report that "the property bequeathed to the institution by the late William H. Maynard, for the endowment of a law professorship, has not yet come into the hands of the trustees, and that no further steps have been taken towards the appointment of an incumbent to fill that office."

To show the great increase in the patronage and support of this institution during the last five years, the trustees state in their report that their receipts from tuition money, which in 1829 amounted to only \$289.88, and in 1830 to \$1,185.79, now amount to \$3,812.91 for a single year.

Geneva college has a president, four professors and two tutors. Its annual revenue, from the income of its permanent funds, and from its tuition money, is \$3,711; while the salaries of all its officers amount at present to only \$2,950. The whole number of students who received instruction in the college during the last year,

was 53, but only 28 remained in the institution at the close of the year; the senior class having then only three, the junior five, and the sophomores and freshmen classes each ten. The graduates at the last commencement were six.

The trustees of the College of Physicians and Surgeons of the Western District represent that the whole number of students attending the last course of lectures delivered at the college was 198, of whom 39 have received from the Regents the degree of Doctor of Medicine. It appears from the report of this college that the whole of its contingent expenses continue, as heretofore, to be defrayed by its professors out of their own private funds; and that, in addition to the liberal contributions before made by them for the enlargement and alteration of one of the college buildings, they have, during the last year, contributed the further sum of \$800 for the construction of rooms in the college for the accommodation of the library, cabinet of natural history, and anatomical museum. The professors still remain personally indebted in the sum of \$2,000, the unpaid balance of the debt contracted by them in the erection of a building for the accommodation of the students of the college.

The reports from the colleges subject to the visitation of the Regents, being deficient in substance, and very dissimilar and irregular in form, and the Regents being empowered by law to prescribe the form of such reports, "*in relation to the state and disposition of college property and funds, the number and ages of scholars, and the system of instruction and discipline pursued in the several colleges,*" they have, as well in pursuance of the power thus conferred on them by law, as by virtue of the authority claimed by them as visitors of the colleges founded or incorporated by them, taken the necessary measures to prescribe the requirements and forms for all future collegiate reports; and they hope to be able hereafter to present in their own reports to the Legislature, more satisfactory views of the relative progress and condition of the several colleges in the State subject to their visitation, than they have heretofore been enabled to do.

The Regents having, during the last year, required from the several academies in the State subject to their visitation, reports more comprehensive as to subject matter, and more in detail as to form, than had before been required by them, they are therefore enabled to present to the Legislature, in this, their annual report,

a view of the relative progress and condition of such academies, *much* more comprehensive and particular than any ever before presented by them. The various schedules accompanying this report, numbered from 1 to 7 inclusive, will exhibit the view here referred to, which it is hoped will be as satisfactory to the Legislature, for whose information it is presented, as it is to the Regents, who present it.

The first schedule above referred to, exhibits in the usual form, the number of students in the several academies from which returns have been received for the last year, together with the apportionment of their distributive shares of \$12,000, part of the income of the Literature fund, required by law to be distributed among them. The apportionment being made among the eight Senate districts of the State, in equal parts, and the shares allotted to each district being then subdivided among the several academies entitled to participate in it, according to the relative proportions of their students in the classics and in the higher branches of English education; and the academies in the different districts being unequal in number, and very unequal in respect to the *data* on which the distribution depends; the result is, that academies in different districts, with *equal* numbers of students, receive very *unequal* shares of the public money. In the 1st and 2d districts the ratio of apportionment is nearly \$5 for every scholar in each academy, while in the 3d district it is a small fraction above \$2; and in the 5th, a considerable fraction below that sum for each scholar. If the apportionment should be made without reference to districts, the ratio for the whole State would, for the last year, have been about \$3.21 for each scholar.

The mode of apportionment producing such unequal results, was prescribed by the Legislature previous to 1830, and has ever since been pursued by the Regents. The great inequality which was observed in the first distribution made under the new rule of that year, was expected to be gradually diminished every subsequent year, by the gradual increase of academies in the districts where but few had before been established. And although such expectation may have been in part realized, yet the inequality resulting from the peculiar mode of distribution prescribed by law, is still so great, that the Regents consider it a proper subject to be brought to the notice of the Legislature, with whom alone abides the power of applying the corrective, if any be considered necessary.

Schedule No. 2 exhibits a view of the relative condition of the several academies, from which returns have been received for the last year, in respect to their permanent funds, their annual revenue from such funds and from tuition money, together with the amount of debts due from them, and the number and salaries of the teachers employed by them respectively. From the total results collected under these different heads in the schedule, may be seen how great is the amount of capital invested for academies, in lots and buildings, in philosophical apparatus and libraries, and in other property set apart for their support; also, how great their annual income is from tuition money, (amounting in one academy to \$7,659, and in several others to more than \$2,000.)

In another schedule, No. 7, will be found a comparative view of the different prices charged for tuition in the different academies.

Schedule No. 3 exhibits a return of the amount of money received by the several academies from the Literature fund for the year preceding that for which their reports are made, together with a statement of the manner in which such moneys have been expended. By an act of the Legislature, passed at the last session, it was provided that all such moneys should be thereafter "exclusively applied and expended towards paying teachers' wages."—The Regents had themselves, before such act was passed, given similar directions on the same subject, but notwithstanding that circumstance, they find with regret, that in some few academies, the public money for 1833 has (through inadvertence they presume,) been applied to other objects than those designated by them. As the act of the Legislature on this subject could only relate to the expenditure of money to be distributed by the Regents after 1834, it has not as yet been violated, and the Regents will take care to prevent its violation by admonishing the academies that it will subject them to at least a temporary forfeiture of their distributive shares in the income of the Literature fund.

Another schedule, (No. 4,) accompanying this report, contains an elaborate view of the different subjects of study pursued in the several academies, from which returns have been received. Although the Regents have no satisfactory information, as to the extent to which the subjects of study specified in this schedule are pursued; yet, on comparing those subjects with what was taught in our best academies only a few years since, they have the grati-

fication to find a manifest, and very great degree of improvement, both in respect to variety and extent of academic studies. In several of our academies the subjects of study now pursued, are as elevated in rank, and as comprehensive in variety, as will ordinarily be found in any of our common colleges; the difference between such academies and colleges consisting chiefly in the extent to which studies are pursued, and not in the nature or character of the studies themselves. This fact will probably account for what has for some time been observed, in respect to our colleges, that their growth or increase in number of students, has not corresponded with the progress of the country in wealth and population. And although the Regents would not be understood, as they certainly do not intend, to depreciate, or in any manner to disparage our colleges, they are nevertheless free to regard with special commendation and favor the efforts made for improving the condition of our academies, and to express their great satisfaction at the success of those efforts, exhibited in the more rapid growth and prosperous condition of these favorite institutions. They consider academies seminaries of education intermediate between colleges and common schools; and being more conveniently dispersed over the whole State than our colleges are, or can be, they have the advantage of being more accessible to all classes of the community. The regard entertained for them is also greatly enhanced from the circumstance that many of them have finally become, what they were all long desired to be, nurseries for teachers of common schools; they being now relied on as well for the supply of such teachers as for the support of our colleges with scholars. But, considered as sources of support for our colleges, they only appear to subserve an ordinary purpose which was always expected of them: while viewed as sources of supply for common school teachers, they appear under a new and more interesting aspect, subserving purposes of much greater magnitude and value.

Connected with the schedule last above referred to, is one, (No. 5,) exhibiting the different text or class books used in the several academies from which returns have been received: and in another schedule, (No. 6,) will be found various extracts from the academic reports, exhibiting whatever appears to be special or peculiar to any academy, in the mode of instruction adopted by it.

The information contained in these and other schedules above referred to, although probably of no great interest to the public generally, yet, being communicated through the medium of this report, (copies of which are ordinarily sent to all the academies in the State,) will be specially interesting to each academy, as it will enable it to compare its own condition with that of other kindred institutions; and thereby to discover and supply its own deficiencies. It will also enable the Regents, at some future time, when their fund of similar information, all drawn from the results of actual experience, shall be increased both in amount and variety, to digest and prepare a system of general academic instruction, (if such a system shall ever be thought advisable,) for all the academies in the State subject to their visitation.

The Regents having heretofore, under the special direction of their late Chancellor, addressed a circular letter to the several colleges and academies in the State subject to their visitation, recommending observations to be annually made, at every such college and academy, on the variation of the magnetic needle, and prescribing the manner in which such observations ought to be made; they had, in view of the great importance of the subject, hoped to be able to present the result of a series of such observations, made in different years, and in different parts of the State. But of all the colleges subject to their visitation only one, that of Geneva, appears to have paid any attention to the subject; and of all the academies in the State only those of Albany, Auburn, Clinton, Erasmus Hall, Johnstown, Oxford, Seminary of the Oneida and Genesee Conference at Cazenovia, and Utica academy have made returns of such observations. The result of the observations thus returned, may be seen in schedule No. 8, accompanying this report.

Abstracts of the usual returns of meteorological observations, made at most of the academies in the State, during the last year, will be found in a very voluminous and elaborate schedule accompanying this report.

By an act of the Legislature relating to the distribution and application of the revenue of the Literature Fund, passed on the 22d day of April, 1834, it is, among other things, provided that any portion of the excess of the revenue of that fund, over \$12,000, may, in the discretion of the Regents, be assigned to any academy or school subject to their visitation, for the purchase of

text books, maps and globes, or philosophical or chemical apparatus, subject to such regulations as the Regents may prescribe; the amount so to be assigned, not to exceed \$250 in any one year; and no part of it to be paid over unless the trustees of the academy or school to which it may be appropriated, shall "raise and apply" an equal sum of money for the same objects.

Soon after the passage of this act the Regents caused a circular letter of instructions to be addressed to the academies, informing them of the provisions in the act above referred to, and requiring them in their next annual report, to make a particular statement or inventory of all their books, maps, globes and articles comprising their philosophical or chemical apparatus, to the end that the Regents might be informed what books and apparatus the several academies were already possessed of; and the trustees of such academies were also, by the same instructions, required to state in their report, whether, in case the Regents should assign to them any sum of money, not exceeding \$250 per annum, to be applied for the purpose aforesaid, they would, as required by the said act, "raise and apply" an equal sum for the same purpose.

In compliance with the instructions thus given by the Regents, most of the academies subject to their visitation, have furnished a statement or inventory of the books, maps and articles of philosophical apparatus belonging to them respectively: But only a few of them have made application for any part of the money appropriated by the act above referred to, as will be seen by schedule No. 8, accompanying this report, in which the academies making such application are particularly enumerated, with the amount applied for by them respectively.

From the terms used by the trustees of some of the academies, in the resolutions adopted by them, signifying their consent to raise and apply a sum of money for the purchase of books, maps, &c. equal to what they may receive from the Literature Fund for the same purpose, it would seem that the words in the act "to *raise and apply,*" are considered by them to mean nothing more than simply to appropriate out of their own corporate funds, a sum equal to what they may receive, &c.; and it is understood that the trustees of other academies, whose resolutions do not, in express terms, betray such a construction, do, nevertheless, construe the act in the same way: But the Regents do not concur in

any such construction. They consider the words "*to raise and apply,*" as used in the act, to mean the obtaining of money by voluntary donations or contributions, from sources other than the corporate property already possessed by the academies. Any other construction would make the provision in the act relate to a mere exchange of one kind of corporate property for another, while the policy or object of the act is presumed to have been to secure to the academies, the benefit of special exertions in their behalf, by holding out a special bounty or inducement to make such exertions.

The act expressly restricts the expenditure of the money appropriated by it, to the purchase of "*text books, maps,*" &c. In every academy, of which the Regents have any knowledge, the *text books* required by the students, are in all cases supplied by themselves or their parents; as such books are wanted for constant use, and are not considered proper for a public library. If they should constitute such a library, and be allowed to be drawn out for constant use, (as they would have to be to derive any benefit from them,) they would last but a short time, and the trustees would probably be subjected to a heavy annual charge to supply the lost or worn out books. Did the Legislature mean by *text books*, such only as are required for constant use in the academies? Did they not rather mean to include, under that general denomination, all or any such books as, like the common text or class books, have the rank of standard works either in literature or science? If the act be construed in its most restricted sense, the result will probably be that few, if any, of the academies will apply for money to purchase books, but all who apply will confine their applications to money for the purchase of maps, apparatus, &c.

The question above presented has acquired an interest which it would not otherwise have, from the circumstance that some academies have already expressed a desire, and others will probably follow their example, to be permitted to apply the money which may be obtained under the act above mentioned, to the purchase of books to be used only for occasional reference and consultation; such as large and costly editions of standard dictionaries, encyclopædias, &c.; and if the Regents should be applied to for their approbation of such an expenditure of money, they would, as at present advised, give their opinion in favor of it.

In and by an act of the Legislature, passed at the last session, "concerning the Literature Fund," it was provided that the revenue of the Literature Fund, then in the treasury, and the excess of the annual revenue of said fund thereafter to be paid into the treasury over the sum of \$12,000, or a portion thereof, might be distributed by the Regents of the University, if they should deem it expedient, to the academies subject to their visitation, or a portion of them, and that the trustees of academies to which any distribution of money should be made under that act, should cause the same to be expended in educating teachers of common schools in such manner and under such regulations as the Regents should prescribe.

The law was laid before the Regents for consideration soon after its passage, and a resolution of the Board was passed referring it to a committee of their members to report at some future meeting, "a plan for carrying into practical operation the provisions of said act." At the present annual session of the Regents, their committee submitted a report which has been adopted by the Board, and a copy of which they submit herewith as a part of their report.

The confidence manifested by the Legislature by the passage of the law referred to, investing them with the discretion of expending any portion of the excess of the annual income of the fund in educating teachers, the Regents have felt demanded a corresponding duty of great care and fidelity in the discharge of the important trust committed to them. The first steps in the organization of the system for preparing competent teachers for our common schools, and embracing the whole subject of the character and extent to which popular education may, under existing circumstances, be carried and provided for, will necessarily have much influence in hastening or retarding the beneficent design of the Legislature. While the plan which has been adopted, so far as to the number of academies in which such a department is to be established, has had regard to the funds at present available to the purposes contemplated, it has not been considered proper to reduce the course of studies or limit the qualifications below what is indispensable to fit the teacher for the place he is to occupy. Eight academies have been designated, one of which is situated in each Senate district, and the Regents have already received the assent of all of them to the establishment of such a department in their respective institutions.

In presenting the report of their committee at length on this interesting part of their duty, the Regents cannot but hope that the uncommonly able manner in which the views of the committee have been presented, and the evidences of sound reflection and knowledge of the matter submitted to them, will meet with the approbation of the Legislature and the public, as that report has with the concurrence of this Board.

The Regents would do injustice to their own feelings in closing their report without adverting to the death of their late Chancellor, the venerable SIMON DE WITT. The members individually unite in the general expression of unfeigned sorrow at an event which has deprived the country of a patriot of the revolution; the State of New-York of a valued citizen; and science of a distinguished votary. While a member of this Board, since the year 1798, and its Chancellor since the year 1829, the deceased has contributed largely to raise the character of our literary institutions, to aid in the general diffusion of knowledge, and improve the moral and intellectual condition of his fellow-citizens. He died as he had lived, a christian and a philanthropist.

By order of the Regents of the University.

S. VAN RENSSELAER, *Chancellor.*

G. HAWLEY, *Secretary.*

SCHEDULE No. 1,

[Senate, No. 70.]

Containing abstracts from the Academic reports for 1834, made to the Regents of the University, exhibiting the number of the students taught in the several academies from which such reports have been received, with the apportionment of their distributive shares of \$12,000, part of the income of the Literature Fund for said year.

Names of Academies incorporated by the Regents, or subject to their visitation, in each Senate District.	Where established.	Whole No. of students belonging to academies at the date of report.	No. of students claimed by the trustees, to have pursued classical studies, or the higher education, or both, for 4 months of said year.	No. of students allowed by the Regents to have pursued said studies for 4 months of said year.	Amount of money apportioned by the Regents from the Literature Fund.
First District.					
Clinton,	East Hampton, Suffolk Co.	46	21	21	\$96 65
Erasmus Hall,	Flatbush, Kings Co.	95	61	61	280 70
N. Y. Ins. for Deaf and Dumb, ..	New-York city,	137	137	137	630 35
Oysterbay,	Oysterbay, Queens Co.	48	39	39	179 40
Union Hall,	Jamaica, Queens Co.	96	68	68	312 90
		422	326	326	\$1,500 00
Second District.					
Delaware,	Delhi, Delaware Co.	46	9	9	43 54
Dutchess County,	Poughkeepsie, Dutchess Co.	114	64	64	309 65
Farmers' Hall,	Goshen, Orange Co.	34	16	16	87 08
Kingston,	Kingston, Ulster Co.	60	23	23	111 27
Montgomery,	Montgomery, Orange Co.	63	44	44	212 91

No. 1—CONTINUED.

Names of Academies incorporated by the Regents, or subject to their visitation, in each Senate District.	Where established.	Whole No. of students belonging to academy at the date of report.	No. of students claimed by the trustees, to have pursued classical studies, or the higher branches of English education, or both, for 4 months or said year.	No. of students allowed by the Regents to have pursued said studies for 4 months or said year.	Amount of money apportioned by the Regents from the income of the Literature Fund.
Second District. Mount-Pleasant, Newburgh, North Salem, Redhook,	Mount-Pleasant, Westchester Co., Newburgh, Orange Co., North-Salem, Westchester Co., .. Redhook, Dutchess Co.,	147 72 85 36	51 64 16 22	51 64 15 22	\$246 97 309 65 72 57 106 36
Third District.					
Albany, Albany Female, Albany Female Seminary, Hudson, Jefferson, Kinderhook, Lansingburgh, Schenectady,	Albany city, Albany city, Albany city, Hudson city, Jefferson, Schoharie Co., Kinderhook, Columbia Co., Lansingburgh, Rensselaer Co., Schenectady city,	226 318 150 61 50 75 21 182	137 231 97 75 21 69 17 101	137 231 97 65 21 69 17 100	278 80 470 08 197 45 132 30 42 80 140 41 34 66 203 50
		1,083	748	737	\$1,500 00

<i>Fourth District.</i>					
Cam. Washington,	41	23	23	98 51	
Canajoharie,	57	44	44	197 02	
Franklin,	45	35	33	147 77	
Gouverneur H. School,	57	46	46	205 95	
Granville,	61	19	18	80 60	
Johnstown,	19	18	18	80 60	
Plattsburgh,	42	26	25	111 93	
St. Lawrence,	96	65	65	291 05	
Washington,	67	65	64	266 57	
	487	340	335	\$1,500 00	
<i>Fifth District.</i>					
Bridgewater,	53	37	31	56 52	
Clinton Gr. School,	25	17	17	31 00	
Fairfield,	77	65	65	118 50	
Hamilton,	83	110	109	168 66	
Lowville,	71	38	38	69 28	
Oneida Institute,	83	109	109	188 48	
Rensselaer, Oswego,	47	58	59	105 73	
Sem. of O. & G. Conferences, ...	263	175	175	319 00	
Union,	50	46	46	83 85	
Utica,	130	107	107	195 08	
Whitesboro,	85	79	68	123 96	
	956	841	833	\$1,500 00	

No. 1—CONTINUED.

Names of Academies incorporated by the Regents, or subject to their visitation, in each Senate District.	Where established.	Whole No. of students belonging to academy at the date of report.	No. of students claimed by the trustees to have pursued classical studies, or the higher education, English education, or both, for 4 months of said year.	No. of students allowed by the Regents to have pursued said studies for 4 months of said year.	Amount of money apportioned by the Regents from the income of the Literature Fund.
<i>Sixth District.</i>					
Cherry-Valley,.....	Cherry-Valley, Otsego Co.,.....	69	57	50	\$207 20
Cortland,.....	Homer, Cortland Co.,.....	146	134	133	551 05
Franklin,.....	Prattsburgh, Steuben Co.,.....	.....	49	44	182 33
Hartwick,.....	Hartwick, Otsego Co.,.....	37	35	35	145 03
Ithaca,.....	Ithaca, Tompkins Co.,.....	48	13	13	53 87
Oxford,.....	Oxford, Chenango Co.,.....	82	55	55	227 92
Owego,.....	Owego, Tioga Co.,.....	89	32	32	132 60
<i>Seventh District.</i>					
Auburn,.....	Auburn, Cayuga Co.,.....	85	63	63	209 55
Canandaigua,.....	Canandaigua, Ontario Co.,.....	125	60	60	199 55
Cayuga,.....	Aurora, Cayuga Co.,.....	39	36	36	119 71
Onondaga,.....	Onondaga Hollow, Onondaga Co.,.....	40	17	17	56 52
Ontario Fem. Sem.,.....	Canandaigua, Ontario Co.,.....	127	87	87	289 35
Ovid,.....	Ovid, Seneca Co.,.....	88	34	34	113 08
Palmyra H. School,.....	Palmyra, Wayne Co.,.....	99	81	81	269 45
		471	375	302	\$1,500 00

Pompey,	Pompey, Onondaga Co.,	28	11	11	36 58
Yates County,	Penn-Yan, Yates Co.,	150	62	62	206 21
		781	451	451	\$1,500 00
<i>Eighth District.</i>					
Fredonia,	Fredonia, Chautauque Co.,	81	74	74	279 62
Lewiston,	Lewiston, Niagara Co.,	57	54	54	204 02
Livingston Co. H. School,	Geneseo, Livingston Co.,	37	20	20	75 60
Middlebury,	Middlebury, Genesee Co.,	107	64	64	241 82
Rochester H. School,	Rochester city,	160	139	136	513 78
Springville,	Springville, Erie Co.,	45	49	49	185 16
		487	400	397	\$1,500 00

RECAPITULATION.

	Whole No. of students belonging to academy at the date of report.	No. of students claimed by the trustees, to have pursued classical studies, or the higher branches of English education, or both, for 4 months of said year.	No. of students allowed by the Regents to have pursued said studies for 4 mo. of said year.	Amount of money apportioned by the Regents from the income of the Literature Fund.	Per scholar.
1st District,...	422	326	326	\$1,500	\$4 60
2d do ..	609	311	310	1,500	4 84
3d do ..	1,083	748	737	1,500	2 03
4th do ..	487	340	335	1,500	4 48
5th do ..	956	841	823	1,500	1 82
6th do ..	471	375	362	1,500	4 14
7th do ..	781	451	451	1,500	3 33
8th do ..	487	400	397	1,500	3 78
Totals,.....	5,296	3,792	3,741	\$12,000	

The rate per scholar, if the apportionment had been made without reference to districts, would have been *about* \$3.²¹/₁₀₀ (\$1²¹/₁₀₀ = \$3.²¹/₁₀₀.)

A true abstract and apportionment.
GIDEON HAWLEY,
Secretary of the University.

SCHEDULE No. 2.

Containing abstracts from academic reports for 1834, made to the Regents of the University, exhibiting a statement of the permanent funds and annual revenue of the several academies from which such reports were received, together with the amount of debts due by them respectively, the number of teachers employed therein, and the amount of their compensation or salary, per annum.

Names of Academies.	Permanent funds.					No. of books in li- brary.	Revenue.		Debts due by ac- ademy.	No. of teachers.	Compensation or salary of teach- ers.
	Value of acade- my lot and building.	Value of other real estate.	Value of philo- sophical appa- ratus & libe- ry.	Value of other personal pro- perty.	Tuition money for year end- ing on date of report.		Interest or in- come of per- manent funds for said year.				
First District.											
Clinton,	\$2,000	none,	\$400	none,	316	\$506	none,	none,	1	\$506	
Erasmus Hall,	8,850	.....	1,850	1,325	1,089	1,830	332	658	4	2,350
N. Y. Institution for Deaf & Dumb,*											
Oysterbay,	3,000	.....	100	260	none,	480	8	.....	1	640
Union Hall,	6,700	.....	600	.....	450	2,104	.....	.....	6	2,210
Second District.											
Delaware,	1,275	.....	720	5,505	.....	.....	.....	.....	1	.....
Dutchess County,	4,000	.....	50	none,	none,	2,113	none,	142	3	2,213
Farmers' Hall,	1,000	none,	150	none,	191	450	none,	none,	1	450	
Kingston,	3,500	none,	400	100	250	620	none,	none,	3	1,335	
Montgomery,	5,500	306	525	.....	683	1,348	.....	302	5	1,070
Mount-Pleasant,	15,000	none,	8	none,	none,	1,042	430	6,000	4	1,458	

* See act, 15th April, 1830.

No. 2—CONTINUED.

Names of Academies.	Permanent funds.				No. of books in li- brary.	Revenue.		Debts due by ac- coun- tants.	No. of teachers.	Compensation or salary of teach- ers.
	Value of acad- emy lot and building.	Value of other real estate.	Value of philo- sophical appa- ratus and li- brary.	Value of other personal es- tate.		Tuition money for year end- ing on date of report.	Interest or in- come of per- manent funds for said year.			
Newburgh,.....	5,000	200	800	....	500	924	200	400	4	924
North Salem,.....	1,600	none,	250	59	200	180	none,	none,	2	330
Redhook,	1,500	.....	300	183	170	438	11	4	2	676
Third District.										
Albany,.....	90,000	1,600	1,600	19,900	318	4,513	1,507	700	8	5,550
Albany Female Academy,.....	31,300	5,000	1,350	1,400	967	7,659	.....	18,400	12	4,910
Albany Female Seminary,.....	7,000	.....	200	500	.....	1,850	.....	1,200	6	1,965
Hudson,.....	8,000	800	100	50	42	730	45	500	1	.....
Jefferson,.....	4,000	none,	32	none,	14	490	none,	65	3	490
Kinderhook,.....	1,500	.....	575	100	393	1,225	none,	none,	2	1,225
Lansingburgh,.....	3,100	200	270	4,000	.....	559	none,	195	1	500
Schenectady,...	.....	.....	.....	.....	.....	2,224	.....	.....	13	.....
Fourth District.										
Cambridge Washington,.....	1,000	1,250	216	910	147	407	90	410	1	472
Canajoharie,	1,500	none,	25	50	none,	639	none,	43	2	719
Franklin.	1,500	none,	30	115	none,	739	281	126	2	802
Gouverneur,	3,500	none,	none,	.....	.....	651	.....	500	3	851
Granville,.....	2,000	none,	75	none,	50	400	none,	46	2	400
Johnstown,.....	1,500	none,	100	1,311	60	274	92	43	2	862

Plattsburgh,.....	1,500	.....	25	.....	none,	500	none,	108	3	500
St. Lawrence,.....	4,000	814	650	2,107	132	1,044	117	2,248	3	1,200
Washington,.....	5,500	.....	150	.....	200	760	.....	1,200	2	
<i>Fifth District.</i>										
Bridgewater,.....	1,500	.....	100	50	10	607	.....	300	2	680
Clinton Gr. School,.....	2,000	none,	none,	none,	none,	250	none,	none,	1	285
Fairfield,.....	7,000	.....	1,000	.....	624	900	.....	.....	2	1,010
Hamilton,.....	4,500	.....	400	3,572	.....	2,000	250	2,500	7	1,700
Lowville,.....	5,000	none,	130	1,950	120	902	136	1,000	3	1,012
Oneida Institute,.....	15,000	400	500	5,000	800	2,504	.....	8,500	3	2,300
Rensselaer Oswego,.....	600	700	25	1,600	none,	525	50	800	2	613
Sem. of G. & O. Conferences,.....	16,000	.....	400	5,000	500	1,800	none,	5,500	7	2,275
Union,.....	6,000	.....	150	.....	197	600	none,	1,300	2	546
Utica,.....	10,000	700	100	663	.....	1,172	35	.....	3	1,400
Whitesboro,.....	1,500	.....	.....	.....	.....	800	.....	800	5	825
<i>Sixth District.</i>										
Cherry-Valley,.....	2,500	.....	400	231	.....	531	.....	.....	4	
Cortland,.....	3,000	none,	400	3,742	none,	1,904	262	none,	6	2,200
Franklin,.....	2,000	none,	1,251	4,045	640	242	250	none,	1	
Hartwick,.....	5,000	600	1,000	17,513	.....	350	1,134	.....	2	1,200
Ithaca,.....	5,000	2,000	none,	4,261	none,	397	448	2,600	2	697
Oxford,.....	2,600	none,	131	3,088	.....	1,190	182	79	5	
Owego,.....	3,500	1,920	200	80	.....	1,000	none,	490	3	1,053
<i>Seventh District.</i>										
Auburn,.....	4,000	2,000	none,	none,	.....	525	78	none,	3	1,072
Canandaigua,.....	10,000	838	650	17,579	250	1,523	1,059	29	4	1,609
Cayuga,.....	1,500	250	566	2,641	300	340	185	none,	1	
Onondaga,.....	4,500	none,	200	3,150	100	500	230	none,	2	771

No. 2—CONTINUED.

Names of Academics.	Permanent funds.				Interest or income of permanent funds for said year.	Funds due by acc. demy.	No. of teachers.	Compensation, or salary of teach. etc.
	Value of bonds payable and	Value of public school property.	Value of other personal estate.	Value of other personal estate.				
Ontario Female Seminary,	12,000	150	.....	.....	300	5,000	8	.....
Ovid,	4,000	none,	33	4,421	300	606	4	1,020
Palmyra H. School,	2,000	.....	350	.....	none,	none,	7	2,561
Pompey,	3,500	none,	200	8,692	519	1,762	1	461
Yates County,	4,500	none,	none,	none,	none,	3,500	6	1,874
<i>Eighth District.</i>								
Fredonia,	1,000	none,	400	1,000	none,	none,	3	1,260
Lewiston,	3,500	none,	428	7,500	500	340	4	1,615
Livingston County,	11,000	.....	400	300	..	none,	1	975
Middlebury,	5,000	none,	400	4,371	250	none,	3	1,300
Rochester H. School,	7,500	.....	400	600	.....	3,500	5	2,012
Springville,	3,300	none,	30	203	.....	741	2	701
	\$890,825-\$19,722	\$21,795	\$139,130	\$10,145	\$73,472	\$9,275	\$72,137	\$217,668,924

A true abstract.

Albany, February 24, 1886.

GIDEON HAWLEY.
Secretary of the University.

SCHEDULE No. 3.

No. 70.]

Containing abstracts from the academic reports for 1884, made to the Regents of the University, exhibiting the amount of money received from the said Regents for the previous year by the several academies from which such reports were made, with a statement of the manner in which such money was expended, together with a specification of the frequency of exercises in composition and declamation in such academy.

Names of Academies.	Amount received from Regents for the previous year including bal. on hand (if any) of money before received.	Application of money received from Regents.	How often exercised in composition and declamation, (except females in declamation.)
<i>First District.</i>			
Clinton,	\$690 00	Part invested, part loaned, and balance on hand,.....	Once..... 14 ds.
Erasmus Hall,	169 40	Payment of teachers and repairs,	" 14 "
N. Y. Ins. for Deaf and Dumb, .....	.....	See act of 15th April, 1830, sec. 3 and 4.	
Oysterbay,	160 23	Part paid to teacher, balance on hand,	Comp. once 14 ds.
Union Hall,	301 46	Payment of teachers, repairs, &c.,	Dec. " 7 "
<i>Second District.</i>			
Delaware,	107 45	Payment of teacher,	Once..... 14 "
Dutchess County,	103 87	Payment of teachers,	" 14 "
Farmers' Hall,	60 96	Payment of repairs,	" 14 "
Kingston,	189 79	Payment of teachers,	" 14 "
Montgomery,	150 41	Payment of teachers, interest, and repairs,	" 14 "
Mount-Pleasant,	136 09	Payment of teachers,	" 14 "

No. 3--CONTINUED.

Names of Academies.	Amount received from Regents for the previous year including bal. on hand (if any) of money before received.	Application of money received from Regents.	How often exercised in composition and declamation, (except females in declamation.)
Newburgh,	304 38	Purchase of apparatus, and pay't of teachers and expenses,	Once,..... 17 ds.
North Salem,.....	154 98	Part paid for repairs, balance on hand,.....	" 14 "
Redhook,	136 08	Payment of teachers,.....	" 14 "
Third District.			
Albany,	306 06	do	" 14 "
Albany Female Academy,....	410 34	do	" 14 "
Albany Female Seminary,....	171 68	do	" 14 "
Hudson,	150 80	do	" 17 "
Jefferson,	none,	None received,	" 14 "
Kinderhook,	139 20	Payment of repairs, and expenses,.....	Comp, once 7 "
Lansingburgh,	46 40	do	Dec, " 14 "
Schenectady,	none,	None received,.....	Once,..... 14 "
Fourth District.			
Cambridge Washington,.....	65 14	Payment of teachers,.....	" 14 "
Canajoharie,.....	80 42	do	" 14 "
Franklin,	145 16	do	" 14 "
Gouverneur H. School,.....	103 20	do	" 7 "
Granville,	107 41	Payment of repairs, expenses, &c.,	" 14 "

Johnstown,.....	88 06	Payment of teachers,.....	"	.....	14 "
Plattsburgh,.....	126 06	Payment of repairs and expenses,.....	"	.....	14 "
St. Lawrence,.....	280 50	Payment of teachers,.....	"	.....	14 "
Washington,.....	160 44	Payment of insurance, repairs, and expenses,.....	"	.....	7 "
<i>Fifth District.</i>					
Bridgwater,.....	42 04	On hand,.....	"	.....	14 "
Clinton Gr. School,.....	34 73	Payment of teachers,.....	"	.....	14 "
Fairfield,.....	109 08	do	"	.....	21 "
Hamilton,.....	164 48	do	"	.....	21 "
Lowville,.....	109 68	do	"	.....	21 "
Oneida Institute,.....	193 72	do	"	.....	21 "
Rensselaer, Oswego,.....	87 72	do	"	.....	7 "
Sem. of O. & G. Conferences,.....	237 52	do	"	.....	28 "
Union,.....	45 69	do	"	.....	14 "
Utica,.....	179 05	and expenses,.....	"	.....	14 "
Whitesboro',.....	45 69	and repairs,.....	"	.....	7 "
<i>Sixth District.</i>					
Cherry-Valley,.....	147 60	do	"	.....	14 "
Cortland,.....	428 40	do	"	.....	14 "
Franklin,.....	126 00	do	"	.....	21 "
Hartwick,.....	80 00	do	"	.....	14 "
Ithaca,.....	154 87	do	"	.....	14 "
Oxford,.....	154 80	do	"	.....	14 "
Owego,.....	158 40	do	"	.....	14 "
<i>Seventh District.</i>					
Auburn,.....	220 37	do	"	.....	14 "
Canandaigua,.....	169 55	Purchase of books and apparatus,.....	"	.....	14 "
Cayuga,.....	76 46	Payment of teachers,.....	"	.....	14 "

No. 3—CONTINUED.

<i>Names of Academies.</i>	Amount received from Regents for the previous year including balance on hand (if any) of money before received.	<i>Application of money received from Regents.</i>	How often exercised in composition and declamation, (except females in declamation.)
Onondaga,.....	49 88	Payment of teachers,.....	Once,..... 14 ds.
Ontario Fem. Sem.,.....	216 09	Payment of interest and repairs,.....	" 7 "
Ovid,.....	66 44	Payment of teachers,.....	" 14 "
Palmyra H. School,	229 38	do	" 14 "
Pompey,.....	39 90	do	Dec. once, 7 "
Yates County,.....	172 87	do	Comp. " 14 "
<i>Eighth District.</i>			Once,..... 14 "
Fredonia,	151 20	Not stated,.....	" 7 "
Lewiston,.....	166 32	Payment of teachers,.....	" 14 "
Livingston Co. H. School,....	42 84	do	Comp. once 7 "
		and repairs,	Dec. " 14 "
Middlebury,.....	171 36	do	Once,..... 14 "
Rochester H. School,.....	463 20	do	" 7 "
Springville,.....	100 82	do	" 14 "

A true abstract.

GIDEON HAWLEY,
Secretary of the University.

Albany, February 24th, 1835.

No. 4—CONTINUED.

<i>Subjects of study.</i>	<i>Academies in which the subjects are studied.</i>	
Composition, .....	.....	63
Conic Sections,	Fairfield, Cortland, Fredonia, Rochester,	5
Constitution, U. S.,	Albany, Albany Fem. Acad., Hudson, Kinderhook, Utica, Oxford, Owego, Ca-	12
Constitution, N. Y.,	sa, Palmyra, Fredonia, Rochester,	8
Criticism, Elements of, ...	Utica, Oxford,	7
Chronology,	Mt. Pleasant, Albany, Albany Fem. Acad., Albany Fem. Sem., Schenectady,	4
Declamation,	Dutchess, Mt. Pleasant, Whitesboro, Pompey,	63
Drawing,	In all, as often on an average as once in 14 days,	13
Dialling,	Montgomery, Albany, Albany Fem. Acad., Kinderhook, Schenectady, Canajoharie, Wash-	2
English Grammar,	ington, Bridgewater, Hamilton, Sem. of G. & O., Ontario F. Sem., Fredonia, Rochester,	63
Evidences of Christianity, ..	Oysterbay, Sem. of G. & O.,	8
Engineering, Civil,	In all academies,	3
Extemporaneous speaking, ..	Albany, Albany F. Acad., Albany F. Sem., U. Hall, Whitesboro, St. Lawrence, Oneida	1
French language,	Ins., Ontario F. Sem.,	
	[In many academies Natural Theology and Analogy of Nat. and Revealed Religion	
	are studied.] See title Nat. Theology.	
	Newburgh, Albany, Utica,	
	Kinderhook,	
	Oysterbay, U. Hall, Delaware, Montgomery, Mt. Pleasant, Newburgh, Redhook, Albany,	
	Albany F. Acad., Albany F. Sem., Hudson, Kinderhook, Schenectady, Cambridge, Ca-	
	najoharie, Franklin M., Granville, Plattsburgh, St. Lawrence, Washington, Bridgewa-	
	ter, Fairfield, Hamilton, Rensselaer Oswego, Sem. of G. & O. Con., Union, Whitesboro,	

Fluxions,	C. Valley, Cortland, Franklin P., Hartwick, Ithaca, Oxford, Owego, Auburn, Cananda- gua, Cayuga, Ontario F. Sem., Ovid, Palmyra, Yates, Fredonia, Lewiston, Livingston, Middlebury, Rochester,	46
Geography,	Oysterbay, Kinderhook,	2
Geography, Physical,	In all, (except Union and Auburn,)	61
Geology,	Albany, St. Lawrence,	2
Geometry, Plane,	Jefferson,	1
Geometry, Analytic,	In all, (except N. Salem and Jefferson,)	61
Geometry, Descriptive, ..	Oysterbay, Sem. of G. & O., Cortland, Fredonia,	4
Greek language,	Albany,	1
Grecian Antiquities,	In all, (except N. Salem, Albany F. Acad., Albany F. Sem., and Ontario F. Sem.,)	59
German language,	E. Hall, U. Hall, Montgomery, Fairfield, Sem. of G. & O., Utica, Lewiston,	7
History, General,	Sem. of G. & O., Hartwick,	2
History, U. S.,	In all, (possibly with one or two exceptions,)	63
	Oysterbay, Albany, Albany F. Sem., Schenectady, Canajoharie, Granville, Washington, Bridgewater, Utica, C. Valley, Hartwick, Owego, Auburn, Canandaigua, Palmyra, Fre- donia, U. Hall, Delaware, Clinton, Dutchess, F. Hall, Kingston, Newburgh, Redhook, Hudson, Kinderhook, Cambridge, Canajoharie, Gouverneur, Lowville, Sem. G. & O., Whitesboro', Oxford, Onondaga, Lewiston, Middlebury, Ovid, N. Salem, Franklin M., Johnstown, St. Lawrence, Clinton G. School, Cayuga, Ontario F. Sem., Springville, Al- bany F. Acad.,	46
History, N. Y.,	Albany, Gouverneur,	2
Hebrew language,	Oneida Institute, Hartwick,	2
Italian language,	Sem. G. & O., Oxford, Owego,	9
Jewish Antiquities,	Hartwick,	1
Latin language,	In all, (except Albany Fem. Acad., and Albany F. Sem.,)	61
Law,	Utica, (select parts of Revised Statutes,)	1

No. 4—CONTINUED.

Subjects of study.	Academies in which the subjects are studied.	No.
Logic,	[See title "Constitution, U. S. and N. Y." A work entitled "Duties of Town, County, and State Officers," is studied in several academies.] Dutchess, Mt. Pleasant Newburgh, Redhook, Albany F. Seminary, Kinderhook, Schenectady, Gouverneur, Granville, Plattsburgh, St. Lawrence, Bridge- water, (Fairfield, Hamilton, Sem. G. & O., Union, Whitesboro', Cort- land, Oxford, Owego, Canadawaga, Cayuga, Palmyra, Yates, Fredonia, Lewiston, Liv- ingston, Middlebury, Rochester,	32
Levellings,	Albany, Oneida Ins.,	3
Logarithms,	Albany, Clinton G. School, Hamilton, Oneida Ins.,	4
Music,	Montgomery, Albany F. Acad., (vocal,) Jefferson, Schenectady, Canajoharie, Washington, Bridgewater, Hamilton, Sem. G. & O. Con., Whitesboro', Ontario F. Sem., Yates, Ro- chester,	13
Mapping,	E. Hall, Oysterbay, N. Salem, Albany, Albany F. Sem., Kinderhook, Washington, Rena. Owego, Cortland, Cayuga, Livingston,	11
Mensuration,	Oysterbay, U. Hall, Dutchess, F. Hall, Montgomery, Newburgh, Hudson, Kinderhook, Hamilton, Oneida Ins., Sem. of G. & O. Con., Utica, Ithaca, Owego, Cayuga, Onondaga, Livingston,	17
Minerology,	Jefferson, Rochester, St. Lawrence, Newburgh,	4
Mythology,	Oxford, Utica, Lewiston,	3
Natural History,	Albany, Albany Fem. Ac., Albany F. Sem., Jefferson, Washington, Ontario F. Sem., Pal- myra, U. Hall, St. Lawrence,	9
Navigation,	Montgomery, Mt. Pleasant, Albany, Oneida Ins., Sem. G. & O., Cortland, Franklin, Yates, Fredonia,	9

Nautical Astronomy,	Sem. G. & O.,	1
Needlework,	Montgomery, (female department),	1
Natural Theology,	Newburgh, Redhook, Albany F. Acad., Albany F. Sem., Schenectady, Plattsburgh, St. Lawrence, Cortland, Oxford, Sem. G. & O., Whitesboro' Canandaigua,	12
Orthography,	In all, since instructions of 1834, but with different degrees	63
Philosophy, Natural,	In all,	63
Philosophy, Moral,	Delaware, Dutchess, Montgomery, Mt. Pleasant, Albany Fem. Acad., Albany Fem. Sem., Kinderhook, Lansingburgh, Schenectady, Canajoharie, Franklin M., Gouverneur, Granville, Johnstown, Plattsburgh, St. Lawrence Washington Hamilton Renss. Owego, Union, Utica, Whitesboro', C. Vall	63
Philosophy, Intellectual, ..	myra, Yates, Fredonia, Lewiston, Rochester,	83
	U. Hall Kingston Montgomery, Mt. Pleasant, Albany F. Acad., Albany F. Sem., Jefferson, Schenectady, Canajoharie, Gouverneur, St. Lawrence, Washington, irfield, Hamilton, R. Owego, Sem. G. & O., Union, Whitesboro', Cortaca, Canandaigua, Ontario F. Sem., Owego, Fredonia, Rochester,	28
Peamanship,	In all, with very rare exception,	62
Political Economy,	Albany, Dutchess,	2
Painting,	Montgomery, Albany F. Acad., Schenectady, Canajoharie, Hamilton, Sem. G. & O., Fredonia,	7
Perspective,	Albany, Rochester,	2
Physiology,	Kinderhook, Albany F. Acad.,	2
Pronunciation, English, ..	In all. (For standards, see schedule of text books, &c.,)	63
Reading,	In all. (For books generally used, see do.,)	63
Rhetoric,	In all, (except F. Hall, Clinton G. Sch	56
Roman Antiquities,	Clinton, E. Hall, Oysterbay, U. Hall, 1 Hudson, Canajoharie, Fairfield, Ham ton, Cambridge, Clinton G. School, Oxford, Kingston,	21
Stenography,	Oysterbay, Albany Fem. Ac., Whitesboro', Onondaga,	4

No. 4—CONTINUED.

<i>Subjects of study.</i>	<i>Academies in which the subjects are studied.</i>	<i>No.</i>
Statistics,	Utica,	1
Surveying,	Clinton, Oysterbay, U. Hall, Delaware, Dutchess, F. Hall, Montmarv. Mt. Pleasant, Newburgh, Kingston, Albany, Hudson, Kinderhook, Lane- ridge, Frank- lin M., Canajoharie, Gouverneur, Johnstown, St. Lawrence, Washington, Bridgewater, Clinton G. School, Fairfield, Hamilton, Lowville, Oneida Ins., R. Oswego, Sem. G. & O., Union, Utica, Cortland, Franklin P., Ithaca, Oxford, Owego, Canandaigua, Cayuga, Onon., Ovid, Palmyra, Yates, Fredonia, Lewiston, Livingston, Middlebury, Springville, Canajoharie, Sem. G. & O., Whitesboro', Owego, Canandaigua, Ontario F. Sem. Palmyra, Middlebury,	47
Spanish language,	Oysterbay, U. Hall, Dutchess, F. Hall, Montgomery, Mt. Pleasant, Newburgh, Albany, Albany Fem. Ac., Albany Fem. Sem., Hudson, Kinderhook, Lansingburgh, Canajoha- rie, Bridgewater, Clinton G. School, Fairfield, Hamilton, Oneida Ins., Sem. G. & O., Utica, Whitesboro', Oxford, Canandaigua, Cayuga, Onondaga, Yates, Fredonia,	8
Trigonometry,	Albany, Albany F. Ac., Albany F. Sem.,	3
Technology,	Kinderhook, Canandaigua, Fredonia, Rochester, St. Lawrence, Oxford, Gouverneur, Ha- milton, Lowville, Cortland, Yates Co.,	11
Teaching, Principles of, ..		

A true abstract,

GIDEON HAWLEY,

Secretary of the University.

Albany, February 24, 1883.

SCHEDULE No. 5.

Containing abstracts from academic reports for 1884, made to the Regents of the University, exhibiting the various text or class books used during said year, in the several academies from which such reports were received, on the different subjects of study pursued in said academies.

Subjects of study.	Books used.	Academies in which said books were used.
Arithmetic,	Daboll's,	Clinton, Erasmus Hall Oysterbay, Union Hall, Delaware, Farmers' Hall, Kingston, Mt. Pleasant, Newburgh, North Salem, Redhook, Albany, Albany F. Seminary, Hudson, Jefferson, Lansingburgh, Schenectady, Gouverneur, Bridgewater, Clinton Gr. School, Lowville, C. Valley, Hartwick, Owego, Onondaga, Lewiston, Livingston C., Middlebury—28.
	Colburn,	E. Hall, U. Hall, Delaware, Montgomery, Mt. Pleasant, Albany, Albany Fem. Sem., Kinderhook, Lansingburgh, Schenectady, Canajoharie, Lowville, Sem. G. & O. Con., C. Valley, Cortland, *Franklin P., Ithaca, Oxford, Owego, Canandaigua, Onondaga, Palmyra, Fredonin, Lewiston, Livingston Co. Middlebury, Ovid—27.
	Willett,	Oysterbay Dutchess Hudson, Bridgewater, Pompey—5.
	Smith,	Hall, F. Hall, Kingston, Newburgh, Albany F. Sem., Schenectady, Clinton, Dutchess, Franklin M., Clinton G. School, Canandaigua, Ontario F. Sem.—13.
	Emerson,	Franklin M., St. Lawrence, Oneida Ins., Cortland, Oxford, Canandaigua, Ontario F. Sem., Fredonia, Middlebury, Rochester—16.
	Babcock,	Utica.

* Franklin Academy at Prattburgh, Steuben Co. Franklin Academy at Malone, Franklin Co. is represented by the letter M after its name.

No. 5—CONTINUED.

Subj:

Hasler,	Montgomery, Kingston—2.	Oswego, Union, Ithaca—5.
Ruger,	Gouverneur,	Kingston, Albany Fem. Sem. Hudson, Kinderhook,
Adams,	Clinton, F.]	Cambridge, Canajoharie, Franklin M., Gouverneur,
	Lansingbu	Granville, Johnstown, St. Lawrence, Washington, Bridgewater, Clinton G. School,
		Fairfield, Hamilton, Oneida Ins., Sem. of G. & O. Con., Utica, Whitesboro, Cortland,
		Franklin P., Oxford, Owego, Onondaga, Palmyra, Fredonia, Middlebury, Ovid—34.
Ostrander, ...	Middlebury, Ovid—2.	
Pike,	Newburgh, Hudson, Gouverneur, St. Lawrence—4.	
Davis,	Canajoharie, Ithaca, Yates Co., Rochester—4.	
Day,	Clinton, Delaware, Dutchess, Farmers' Hall, Montgomery, Kingston, Mt. Pleasant,	
	Newburgh, N. Salem, Redhook, Hudson, Jefferson, Kinderhook, Lansingburgh,	
	Schenectady Cambridge, Canajoharie Franklin M., Gouverneur, Granville, John-	
	town, Lawrence,	
	Fairfield, Hamilton, Lowville, Oneida Ins., Kens. Oswego, Sem. G. & O. Con., Union,	
	Utica, Whitesboro, C. Valley, Cortland, Franklin P., Ithaca, Oxford, Cayuga, Canan-	
	daigua, Canandaigua Pompey, Yates Co., Fredonia, Lewiston, Middlebury,	
	Rochester	
Colborn,	E. Hall, Dutchess, Newburgh, Albany Fem. Acad., Hudson, Schenectady, Franklin	
	M., Gouverneur, Johnstown, Clinton G. School, Fairfield, Hamilton, Lowville, Cort-	
	land, Franklin P., Cayuga, Canandaigua, Ontario F. Sem. Fredonia, Lewiston, Li-	
	vingston Co., Middlebury, Ovid—23.	

Algebra,

Astronomy,	Bourdou,	Clinton Montanary	Newburgh, Cambridge, Fairfield, Hartwick, Fredonia, Middle-
	Bonnycastle, .		Dutchess, Albany, Bridgewater, Fairfield, Utica—8.
	Hutton,		re, Newburgh, Utica—5.
	Bailey,		ok—3.
	Ryan,		ica—3.
	Euler,		singburgh, Bridgewater, Sem. of G. & O., Lewiston—6.
	Herschel,		Lansingburgh, Canajoharie, Sem. of G. & O. Con., Cort-
	Parley's,		Sem., Fredonia, Lewiston, Springville—11.
	Wilber,		, Hudson, Palmyra—4.
	Ferguson,		lin, Washington, Utica—5.
	Ryan,		
	Towle,		
	Blair,		
	Wallace,		
	Ostrander, ...		
	Guy,		
	Blake,		
	Keith,		
	Vose,	Ovid.	
	Willson,	Springville.	
	Cambridge, ...	Canandaigua.	
	Bardlett,	Cayuga.	
	Ewing,	Utica.	
	Brewster, ...	Lansingburgh.	
	Wilkin,	Franklin M., Granville, St. Lawrence, Franklin P., Onondaga, Ontario F. Sem., Yates	
		Co., Lewiston—8.	

No. 5—CONTINUED.

	Enfield,.....	Clinton G. School.
	Burrill's,	Schenectady, Johnstown, Hamilton, Rens. Oswego, Sem. G. & O., Union, Oxford, Middlebury—8.
Botany,.....	Lincoln,	Clinton, Oysterbay, U. Hall, Kingston, Mt. Pleasant, Newburgh, Albany F. Ac., Albany F. Sem., Kinderhook, Schenectady, St. Lawrence, Hamilton, Whitesboro', Cortland, Owego, Ont. Fem. Sem., Palmyra, Fredonia, Rochester—19.
	Beck,	Albany Fem. Ac., Albany F. Sem.—2.
	Comstock, ...	Jefferson, Canandaigua, Oxford—3.
	Phelps,.....	U. Hall, Dutchess—2.
	Eaton,.....	Albany F. Ac., Jefferson, Schenectady, Sem. G. & O., Cortland, Ontario F. Sem., Fredonia, Rochester—8.
	Bigelow,.....	Jefferson.
	Irving,	Lewiston.
	Parley's,.....	Ontario F. Sem., Palmyra—2.
	Thornton,....	Jefferson.
Book-keeping,...	Bennett,	Clinton, Oysterbay, U. Hall, Dutchess, Montgomery, Kingston, Mt. Pleasant, N. Salem, Kinderhook, Granville, Johnstown, St. Lawrence, Washington, Hamilton, Lowville, Hartwick, Owego, Lewiston, Rochester—19.
	Marshall,.....	Mt. Pleasant.
	Willett,.....	Dutchess.
	Hitchcock, ...	Jefferson, Kinderhook—2.

Preston,	Dutchess, Albany, Hudson, St. Lawrence, Hamilton, Sem. G. & O. Con., Cortland, Owego, Onondaga, Palmyra, Livingston Co., Ovid, Springville—13.
Mair,	Cayuga.
Nevins,	U. Hall.
Comstock,	Clinton, U. Hall, Delaware, Montgomery, Newburgh, Jefferson, Kinderhook, Lansingburgh, Canajoharie, Granville, Bridgewater, Clinton G. School, Rens. Oswego, Sem. G. & O. Con., C. Valley, Cortland, Franklin P., Ithaca, Oxford, Owego, Cayuga, Canajoharie, Onondaga, Cortland, Sem., Palmyra, Yates, Fredonia, Lewiston, Ovid—32.
Jones,	St. Lawrence, Owego—5.
Turner,	Utica, Fredonia, Middlebury—3.
Blake,	Dutchess, Kingston, Schenectady, Canajoharie, Union, Lewiston—6.
Irving,	Lewiston.
Beck,	Mt. Pleasant, Albany, Albany F. Acad., Hamilton, Franklin P.—5.
Bryan,	N. Salem, Lansingburgh, Franklin M., Franklin P., Oxford, Pompey—6.
Eaton,	Utica.
Phelps,	
Parker,	
Simpson,	
West,	
Bridge,	Schenectady—2.
Constitution, U.S.	Stambsbury,
	newburgh,
	Albany F. Acad., Fredonia—2.
	Sullivan's Political Class Book is used for reading and study in many academies.
	In all the academies in which this was made a subject of study.
Criticism, Etc. of,	
Dialling,	Oysterbay.
English language,	Clinton, Delaware, Dutchess, Mt. Pleasant, Newburgh, N. Salem, Redhook, Albany, Hudson, Jefferson, Kinderhook, Lansingburgh, Schenectady, Cambridge, Canajoharie—
(Grammar,)	

Exercises by Parker are used in many of the academies.

Subjects of study.	Books used.	<i>Academies in which said books were used.</i>
	Kirkham,	rie, Franklin M., Gouverneur, Johnstown, St. Lawrence, Bridgewater, C. G. School, Fairfield, Hamilton, Rens. Oswego, Whitesboro, Cayuga, Palmyra, Livingston Co., Middlebury—29. E. Hall, U. Hall, Delaware, Dutchess, F. Hall, Montgomery, Kingston, Newburgh, Albany F. Acad., Hudson, Lansingburgh, Schenectady, Canajoharie, Gouverneur, Granville, Johnstown, Washington, Bridgewater, Clinton G. School, Hamilton, Lowville, Oneida Ins., Rens. Oswego, Sem. G. & O. Con., Union, C. Valley, Hartwick, Oxford, Owego, Cayuga, Onondaga, Yates, Fredonia, Lewiston, Middlebury, Springville—38. Dutchess.
	Merchant,	
	Brown,	Oj
	Smith,	1, Cortland, Ithaca, Owego, Canandaigua, Ontario F. Sem., Middle-Ovid—10.
	Greenleaf,	U. Hall, Delaware, Albany Fem. Acad., Albany Fem. Sem., Hudson, Kinderhook, Whitesboro', Owego, Ontario F. Sem.,—9.
	Bullions,	Delaware, Redhook, Albany F. Sem., Schenectady, Lewiston—5.
	Hamlin,	Mt. Pleasant, Albany F. Acad., Cambridge W., Washington—5.
	Webster,	Canajoharie.
English language, (Dictionary,)		E. Hall, Delaware, F. Hall, Newburgh, Redhook, Albany, Albany F. Acad., Albany F. Sem., Hudson, Kinderhook, Gouverneur, Granville, St. Lawrence, Washington, Rens. Oswego, Sem. G. & O. Con., Whitesboro', Owego, Cayuga, Canandaigua, Onondaga, Fredonia, Ovid, Schenectady, Canajoharie—25.
	Walker,	Oysterbay, U. Hall, Delaware, Dutchess, F. Hall, Kingston, Mt. Pleasant, N. Salem,

Evid. of Christ.,	Ely,	Redhook, Albany, Albany F. Acad., Kinderhook, Cambridge, Gouverneur, St. Lawrence, Rens. Oswego, Utica, Cayuga, Onondaga, Middlebury, Ovid, Johnstown, Hamilton, Union, Ithaca, Oxford, Schenectady, Washington, Canandaigua—29.
	Worcester,	Newburgh.
	Cobb,	Kinderhook, Utica, Canandaigua—3.
	Alexander,	Gouverneur, Oxford, Owego—8.
	Blake,	U. Hall, Albany, Albany F. Acad., St. Lawrence—4.
	Paley,	Albany F. Sem.
	Porteus,	Whitesboro', Ontario F. Sem.—2.
	Butler,	St. Lawrence.
	Cobbett,	Butler's Analogy in many academies.
	Bolmar,	Oysterbay.
French language, (Grammar,)	Levizac,	Montgomery,
		Montgomery, Redhook, Cambridge, Canajoharie, Plattsburgh, St. Lawrence, Bridge-
		water, Fairfield, Hamilton, Rens. Oswego, Sem. G. & O. Con., Union, C. Valley,
		Cortland, Hartwick, Oxford, Owego, Palmyra, Fredonia, Livingston, Ovid—21.
	Balf,	Mt. Pleasant.
Fluxions,	Perrin,	Newburgh, Livingston—2.
	Noel & Chapsal,	Albany, Albany Fem. Acad.—2.
	Wanostrocht, ..	Canajoharie, Washington, Hamilton, Whitesboro', Ithaca, Canandaigua, Ontario Fem.
		Sem., Lewiston, Livingston, Middlebury—10.
	Dufief,	Bridgewater.
Geography,	Ryan,	Oysterbay.
	Vince,	Kinderhook.
	Young,	Oysterbay.
	Olney,	Clinton, Oysterbay, U. Hall, Delaware, Dutchess, F. Hall, Montgomery, Kingston,
		Mt. Pleasant, N. Salem, Redhook, Albany, Albany F. Acad., Albany F. S., Hdd-

son, Kinderhook, Lansingburgh, Schenectady, Cambridge, Canajoharie, Franklin M.,

Hart,	Albany, Albany F. Acad., Livingston, Middlebury—4.
Woodbridge, . .	E. Hall, Oysterbay, Delaware, F. Hall, Montgomery, Mt. Pleasant, Albany, Albany Fem. Sem., Hudson, Kinderhook, Schenectady, Canajoharie, Johnstown, St. Lawrence, Washington, Bridgewater, Clinton G. School, Fairfield, Hamilton, R. Owego, Som. G. & O. Con., Franklin P., Hartwick, Oxford, Owego, Cayuga, Canandaigua, Palmyra, Pompey, Fredonia, Lewiston, Livingston, Rochester—33.
Parley's,	E. Hall, U. Hall, Delaware, F. Hall, Newburgh, N. Salem, Albany F. Acad., Jefferson, Canajoharie, St. Lawrence, R. Owego, Sem. G. & O. Con., Owego, Canandaigua, Onondaga, Yates, Fredonia, Ovid—18.
Woodbridge & U.	Hall, Delaware, Kingston, Mt. Pleasant, Albany F. Sem., Jefferson, Lansingburgh, Washington, Whitesboro', C. Valley, Cortland, Owego, Ovid—13.
Willard,	Delaware, Dutchess, N. Salem, Redhook, Albany, Albany F. Acad., Albany F. Sem., Hudson, Jefferson, Kinderhook, Lansingburgh, Schenectady, Granville, Johnstown, Clinton G. School, Utica, Middlebury, Rochester—18,
Mathebrun, . . .	Dutchess. Ovid—2,
Hall,	Ontario F. Sem.,
Lebrun,	Utica.
Worcester, . . .	Jefferson,
Comstock,	Jefferson,

Geology,

Geometry, Plane,	Clinton, E. Hall, U. Hall, F. Hall, Montgomery, Mt. Pleasant, Newburgh, Redhook, Albany, Albany F. Acad., Albany F. Sem., Hudson, Kinderhook, Schenectady, Gouverneur, Granville, Johnstown, Plattsburgh, Washington, Clinton G. S., Oneida Ins., Rens. Oswego Yates, Fredonia, L.
Simpson,	Oysterbay, Kingston, Redhook, Albany Fem. Acad., Lansingburgh, Lewiston—6.
Legendre,	U. Hall, Montgomery, Hudson, Kinderhook, Schenectady, Cambridge, Johnstown, St. Lawrence, Washington, Lowville, Oneida Ins. R. Oneida Union, C. Valley, Cortland, Franklin P., Hartwick, Ithaca, Palmyra, Pompey, Fredonia, Middleb.
Grund,	Canajoharie, Bridgewater, Fairfield, Sem. of G. & O. Con.—4.
Walker,	Delaware, Dutchess, Cortland, Rochester—4.
Holbrook,	Albany F. Acad., Palmyra—2.
Lacroix,	Cortland.
Haywood,	Utica.
Cambridge ed.,	Fredonia.
Young,	Oysterbay.
Davis,	Albany.
Greek language, (Grammar,)	Clinton, Delaware, Dutchess, F. Hall, Montgomery, Redhook, Hudson, Kinderhook, Lansingburgh, Canajoharie, Franklin M., Gouverneur, Granville, Johnstown, Plattsburgh, St. Lawrence, Washington, Bridgewater, Clinton G. School, Fairfield, Hartwick, Cortland, Franklin P., Hartwick, Palmyra, Yates, Livingston, Ovid—36.
Valpy,	nery, Kingston, Newburgh, Schenectady, Livingston, Middlebury, Springfield—15.
Fisk,	O. Con.—4.
Bullions,	wn, Fairfield—5.
Anthou,	Jefferson, Utica, Franklin, Onondaga—4.



No. 5—CONTINUED.

Subjects of study.	Books used.	Academies in which said books were used.
	Robinson,..... Butman, Hockenbergh,.... Moor,	Sem. G. & O. Con. Fredonia. Lewiston. Ithaca, Rochester—2. [Goodrich's Greek Exercises, Jacobs' Greek Reader, Græca Majora, the Greek Testament, and Schrevelin's, and Donegan's Lexicons, are used in all, or nearly all the academies.]
Grecian Antiquities, History, General,	Cleveland,..... Potter,, Wells,, Worcester,....	U. Hall. Sem. G. & O. Con., Utica—2. Newburgh. F. Hall, Albany F. Acad., Albany F. Sem., Kinderhook, Johnstown, St. Lawrence, Sem. G. & O. Con., Oxford, Canandaigua—9.
	Tyler,	Clinton, Delaware, F. Hall, Kingston, Newburgh, Redhook, Albany, Albany F. Sem., Hudson, Lansingburgh, Schenectady, Canajoharie, Gouverneur, Bridgewater, Clinton G. School, Hamilton, R. Oswego, Union, C. Valley, Hartwick, Cayuga, Onondaga, Pompey, Fredonia, Livingston, Ovid—27.
	Whelpley,	Clinton, E. Hall F. Sem., Palmyringville—11. St. Lawrence, Oneida Ins., Cayuga, Ontario
Webster,..... Parley's,..... Irving's Cum. History, U. S.,...	Lansingburgh, (Delaware, Newburgh, Johnstown, St. Lawrence, R. Oswego, Oxford, Owego—7. Kingston, Albany, Lewiston—3. U. Hall, Delaware—2.	

Hale,	Clinton, Oysterbay, Dutchess, F. Hall, Kingston, Newburgh, Redhook, Albany, Hudson, Kinderhook, Cambridge, Canajoharie, Gouverneur, Lowville, Sem. G. & O. Con., Utica, Whitesboro', C. Valley, Hartwick, Oxford, Owego, Onondaga, Palmyra, Fredonia, Lewiston, Middlebury, Ovid—27.
Davenport,	Dutchess, Bridgewater—2.
Goodrich,	U. Hall, Dutchess, N. Salem, Albany F. Sem., Hudson, Franklin M., Granville, Johnstown, St. Lawrence, C. Gram. School, C. Valley, Cayuga, Canandaigua, Onondaga, Ontario F. Sem., Fredonia, Middlebury, Springville—18.
Willard,	Kingston, Albany F. Acad., Schenectady, St. Lawrence, Washington—5.
Eastman,	Albany, Gouverneur—2.
Irving,	See Reading.
Adams,	In all the academies, one or both of these is used, (except Onondaga.)
do Gould's ed.	Onondaga.
Fisk,	[Ainsworth's Dictionary, Jacobs' Latin Reader, Cooper's Virgil, and Anthon's Syl- labus, are generally used.]
Hedge,	Mt. Pl St. Lawrence, Bridgewater, Clinton G. School, Hamilton, Sem. G. & O. Con., Ox- ford, Owego, Cayuga, Canandaigua, Palmyra, Yates, Fredonia, Lewiston, Living- ston, Middlebury, Rochester—23.
Jameison,	Albany F. Sem., Cortland—2.
Watts,	Granville, Union—2.
Whately,	Fairfield.
Ryan,	Oysterbay.
Day,	Hudson, Hamilton, Oneida Ins., Utica—4.
Boonycastle, ..	Oysterbay, Utica—2.
Hutton,	Ithaca, Onondaga—2.
Olmsted,	Newburgh.

History, N. Y.
do Columbus, ..
Latin language,
(Grammar,)

Logic,

Mensuration,

No. 5—CONTINUED.

<i>Subjects of study.</i>	<i>Books used.</i>	<i>Academies in which such books were used.</i>
Minerology,....	Ostrander,.... Pike,..... Cleveland,.... Eaton,..... Comstock,....	Owego. Cayuga. St. Lawrence. Newburgh. Jefferson, Rochester—2.
Natural History,.	Smellie,.....	U. Hall, Albany, Albany F. Acad., Albany F. Sem., St. Lawrence—5.
Navigation,.....	Trimmer, Bowditch,.... Day,	Is used in the lower departments of some academies. Mt. Pleasant, Franklin P., Yates—3. Oneida Ins.
Nat. Theology,...	Paley,.....	Newburgh, Redhook, Albany F. Acad., Albany F. Sem., Schenectady, St. Lawrence, Sem. G. & O. Con., Whitesboro', Cortland, Canandaigua—10.
Orthography, (Spelling-books,)	Butler,..... Webster,.....	In several academies Butler's Analogy is used. Clinton, Delaware, F. Hall, Kingston, Newburgh, Redhook, Albany F. Acad., Kin- derhook, Gouverneur, St. Lawrence, Washington, Sem. G. & O. Con., Cortland, Owego, Cayuga, Canandaigua, Palmyra, Yates, Fredonia—19.
	Cobb,..... Picket,..... Bentley,..... Williams, Marshall,	U. Hall, Union, Utica, C. Valley, Oxford, Owego, Cayuga, Onondaga, Ovid—9. U. Hall, F. Hall, Cayuga—3. Dutchess. Hamilton. Cambridge.
Philosophy, Nat.,	Comstock,.....	[See title "English language, (Dictionary,") ante.] Clinton, E. Hall, Oysterbay, Delaware, F. Hall, Montgomery, N. Salem, Jefferson,

Newton,.....	Kinderhook, Lansingburgh, Cambridge, Gouverneur, Granville, St. Lawrence, Washington, Bridgewater, Clinton G. School, Fairfield, Hamilton, Lowville, Sem. G. & O. Con., Union, Cortland, Franklin P., Ithaca, Oxford, Canandaigua, Onondaga, Ontario F. S., Palmyra, Yates, Fredonia, Livingston, Middlebury, Springfield—35.	29
Enfeld,.....	Oysterbay.	
Olmsted,.....	Clinton G. School.	
Bolman,.....	U. Hall, Lansingburgh, Utica, Whitesboro', Palmyra, Rochester—8.	
Blake,.....	Washington.	
	U. Hall, Delaware, Dutchess, Kingston, Redhook, Albany F. Acad., Albany F. Sem., Kinderhook, Schenectady, Canajoharie, Johnstown, R. Oswego, Utica, C. Valley, Owego, Cayuga, Lewiston, Middlebury, Springfield, Ovid—20.	
Cambridge ed.,	Fairfield.	
Jones,.....	Delaware, Dutchess, Newburgh, Canajoharie, St. Lawrence, Bridgewater, C. Valley, Owego—8.	
Blair,.....	Mt. Pleasant, Hudson, Canajoharie, Johnstown, Fairfield, Hamilton, Ovid—7.	
Bryn,.....	N. Salem, Lansingburgh, Franklin M., Franklin P., Pompey—5.	
Grund,.....	Hudson.	
Arnot,.....	Albany F. Acad., Albany F. Sem., Middlebury—3.	
Smith,.....	Hamilton.	
Philosophy, Mor. Paley,.....	Delaware, Dutchess, Mt. Pleasant, Albany F. Acad., Lansingburgh, Canajoharie, Franklin M., Gouverneur, Granville, Johnstown, Plattsburgh, St. Lawrence, Washington, Hamilton, R. Oswego, Union ford, Owego, vote 7.	
	Albany F. Acad.	
Payne,.....	Albany F. Sem.	
Abercrombie,.....	U. Hall, Mt. Pleasant, Albany F. Sem., Schenectady, Fairfield, Hamilton, Whitesboro', Ithaca, Rochester—9.	
Philosophy, Intel. Abercrombie,.....	Albany F. Acad., St. Lawrence—2.	
Payne,.....		

No. 5—Contents.

Academies in which such books were used.

Stewart,	Canajoharie, Cortland, Oswego, Canandaigua—4,
Dick,	R. Oswego.
Upham,	Sem. G. & O. Con., Ontario F. Sem.—3,
Brown,	Canandaigua.
Watts,	Watts on the Mind is studied in a majority of the academies.
Lawrence,	Kinderhook.
Walker,	Oysterbay, U. Hall, F. Hall, Kingston, Mt. Pleasant, Albany F. A., Kinderhook, Cambridge, Gouverneur, Johnstown, Hamilton, Union, Ithaca, Oxford, Oneandaga—15.
Webster,	Schenectady, Canajoharie, R. Oswego, Sem. G. & O. Con., Cayuga—5.
Walker & Webster,	Albany, Schenectady, St. Lawrence, Washington, Canandaigua, Ovid—6,
Worcester and Walker,	Utica.
Bible,	E. Hall, Mt. Pleasant, Jefferson, Washington, R. Oswego, Oxford, Ontario F. Sem., Rochester—8.
Murray's English Reader,	Clinton, E. Hall, U. Hall, Delaware, Dutchess, Newburgh, N. Salem, Cambridge, Gouverneur, St. Lawrence, Lowville, Sem. G. & O. Con., Hartwick, Ithaca, Oxford, Ovid—16.
Irving's Columbus,	Oysterbay, Montgomery, Kingston, Newburgh, Albany, Albany F. Sem., Johnstown, Clinton G. School, Hamilton, Palmyra, Yates—11.
N. Testament,	Delaware, Albany F. Acad., St. Lawrence, Utica—4.
Pierpont,	Pierpont's Class Books are used in many academies.

Rhetoric,	Blair,	Clinton, E. Hall, Oysterbay, U. Hall, Delaware, Dutchess, Montgomery, Kingston, Mt. Pleasant, Newburgh, Redhook, Kinderhook, Lansingburgh, Cambridge, Canajoharie, Franklin M., Gouverneur, Granville, Johnstown, Washington, Bridgewater, Hamilton, Lowville, Sem. G. & O. Con., Union, Utica, C. Valley, Cortland, Franklin P., Oxford, Owego, Cayuga, Yates, Fredonia, Lewiston, Middlebury, Springfield--37.
	Newman,	U. Hall, Albany F. Acad., Canajoharie, Whitesboro', Canandaigua, Ontario F. Sem., Palmyra--7.
	Jamieson,	Albany, Albany F. Sem., Jefferson, Washington, Lowville, Franklin P., Owego, Fredonia--8.
	Mills,	Schenectady, Johnstown--2.
	Whately,	Fairfield.
Roman Antiquities,	Adams,	Clinton, Mt. Pleasant, Newburgh, Albany, Hudson, Cambridge, Clinton G. School, Sem. G. & O. Con., Utica, Oxford, Cayuga--11.
	Dilloway,	U. Hall,
	Irving's Class,	Kingston, Lewiston--2.
Stenography, . . .	Gould,	Oysterbay.
Surveying, . . .	Gummere,	Clinton, Oysterbay, Dutchess, F. Hall, Montgomery, Cambridge, Utica, Cortland, Franklin P., Ithaca, Palmyra, Fredonia, Lewiston--13.
	Flint,	U. Hall, Delaware, F. Hall, Mt. Pleasant, Newburgh, Hudson, Kinderhook, Lansingburgh, Canajoharie, Franklin M. Gouverneur, St. Lawrence, Bridgewater, Clinton Owego, Sem. G. & O. Con., Union, Canandaigua, Onondaga, Palmyra,
	Gibson,	Dutchess, F. Hall, Kingston, Mt. Pleasant, Newburgh, Albany, Hudson, Lansingburgh, Franklin M., Gouverneur, Washington, Bridgewater, Union, Franklin P., Ithaca, Canandaigua, Livingston, Middlebury--18.
	Ryan's Gibson, Dutchess.	

Subjects of study.	Books used.	<i>Academies in which such books were used.</i>
Trigonometry, ..	Day,	Dutchess, Oneida Ins.—2.
	Davies,	Ithaca, Yates—2.
	Lacroix,	Oysterbay, Albany—2.
	Flint,	Cayuga.
	Legendre,	U. Hall.
	Hutton,	Yates.
	Playfair,	Newburgh, Albany F. Acad., Albany F. Sem., Canandaigua—4.
	Cambridge, ...	Sem. G. & O. Con., Fredonia—2.
	Day,	Hudson, Utica—2.
	Brewster,	Fairfield.
Technology,	Bigelow,	Albany, Albany F. Acad., Albany F. Sem.—3.
	Teaching, Prin. of Hall,	Oxford, Canandaigua—2.

A true abstract,

GIDEON HAWLEY.
Secretary of the University.

Albany, February 24, 1885.

SCHEDULE No. 6,

Containing extracts from the remarks submitted by the trustees of several academies in their reports to the Regents of the University, for the year 1834, on the peculiar modes of instruction adopted by them.

First District.

ERASMUS HALL ACADEMY.—As to the course of instruction pursued in this academy, the board submit the following:

The advanced students in Latin and Greek are examined, not only in their translation and acquaintance with the grammatical construction of sentences, but likewise on the etymology of words and peculiarities of style; and when the works of poets are read, on the prosody and poetic diction of the author; the reasons why one word is preferred to another, usually reckoned synonymous; the history of individuals, and of countries, including antiquities, and the geography of places, are strictly attended to; exercises in prose and verse, are written every week; and lectures are occasionally delivered on subjects connected with their studies.

In the higher, mathematics, the course is about as complete and nearly the same as that of our colleges. Instruction is generally given by lectures. Playfair's Euclid and Bridges' Conic Lectures are the only text books required. Arithmetic is studied as a science as well as an art. To the students in this department voluntary exercises are weekly prescribed. Instruction in astronomy and the use of the globes has been given by lectures, and actual practice in solving problems on the globes. Students mapping, copy on a scale differing from the original, and themselves calculate the length of the lines of latitude and longitude.

It is proper to remark, that important errors are frequently detected by the pupils in their school maps.

Reading, writing and spelling are daily attended to. Students are exercised in composition and declamation, at least once in two weeks; and nearly one-half of those claimed in the following list, write essays once a week; the advanced students speak original pieces once in six weeks.

OYSTER BAY ACADEMY.—The higher classes are required to read about one page of something either in prose or verse every day; to spell a page of Walker's Dictionary; to give the definition of a certain number of words; and to spend an hour at writing daily.

Strict attention is paid to the pronunciation of words, according to the authority of Walker, generally; in some instances however, we differ from him. In spelling, the class is directed to omit a number of letters, such as, the *u* in honour, the *k* final as in publick, &c.

The method of instruction, particularly in the lower department, is what is denominated the Inductive System. The pupils are all led to *think for themselves*; to make their own comparisons;

to give illustrations as they understand the subject under consideration; and to make use of no rule or formula, unless it has originated itself by investigating the principles upon which such rule is founded.

UNION HALL ACADEMY.—All the students of the English department, are exercised daily in writing, spelling and defining words. The more advanced, read twice a week; those less advanced, read daily. In the classical room, the students write daily, spell and define words twice a week. The less advanced read twice a week.

That the studies of youth, to be successful, must be voluntary and agreeable, is a truth so prevalent that the most inflexible adherent to ancient usage, cannot escape being influenced by it. It is found in the experience of this Institution, that no studies can be successfully prosecuted under the agency of mere force. The studies are levelled to the comprehension of the learner, so that he can appreciate the use and value of the knowledge he obtains. Topics that come within the sphere of his observation, are made the subject of his semi-monthly compositions.

No novel methods have been resorted to, but such hints and suggestions as appeared in approved works have been listened to and adopted, where it seemed advisable.

The most practical knowledge is considered the most important to be imparted, with this view, selections only of Greek and Roman antiquities, for instance, are read, and reference is made to the rest. In respect to Greek and Latin prosody, the habit of correct reading and verifying the same by the rules is inculcated, while less time is expended on the niceties of verse.

May we suggest to the Regents, the propriety of selecting from Simpson on Popular Education, Dimond's Moral Philosophy, Grinke, and others, such parts as have reference to the best classics; and distributing them among the academies of this State.

Second District.

FARMERS' HALL ACADEMY.—As to the elementary studies, no scholar is exempt from the exercise of *reading*. Those who do not read in classes, read in rotation, short select pieces before the whole school, other business being suspended; for which exercise the scholar is required to make special preparation. Exercises in spelling are required of all, except those in the higher classes in the languages.

All English scholars, with a part of the others, attend regularly to writing. In compositions and written exercises, the manner in which they are executed, as to penmanship, is particularly noticed.

Walker's Dictionary, with exceptions, is regarded as the standard of pronunciation of the English language.

Recitations of geography and history, and the exercises of reading and spelling, furnish the teachers with opportunities of correction and criticism in pronunciation, which are of course always improved.

MONTGOMERY ACADEMY.—It is our constant effort to make all our students good grammarians, and thorough and practical arithmeticians. Thus, in parsing, we give a word, suppose “direct,” and require them to name the *part of speech*, then *compare it*, then give the word supposing it an *adverb*, then a *noun*, then a *verb*. By this process we think the student will understand the subject better than after the old method. We require the student at the same time to define the word and give it a proper pronunciation. All exercises in composition and declamation are examined critically, both respecting the style and spelling in composition and pronunciation, and gesture in declamation. In a word, we aim more at a practical than speculative, more at a solid than an ornamental education.

In synthetic arithmetic, we require the pupil to analyze the problem and then perform the operation synthetically. This latter process is given on the *black board*.

In the science of algebra, we require the student to explain and practically develop all the various steps in the operation of the principle involved in the problem.

We pursue a similar course in the science of surveying; we require the student to demonstrate on the board, the various principles upon which a given problem is founded; thus the student is made satisfactorily acquainted with the truth of the *theorem*. In our lectures on natural science, we deal in plain familiar language, and at the close of each lecture we examine the class on the various subjects noticed, and the experiments and proofs given illustrative of the same.

In our text books, we have endeavored to select the best with which we are acquainted. On this subject I consider “reform” indispensably necessary in order to keep pace with the improvement of the age.

MOUNT-PLEASANT ACADEMY.—The trustees would respectfully suggest, in case the proposed appropriation should be made, whether it would not be better to have the act of the Legislature passed April 22, 1834, so amended, that the books which may be purchased by virtue of such appropriation shall be for a permanent library, rather than for text books, as apparently contemplated by the act; which in many instances would be soon defaced and destroyed. It is believed, that in the present day, there are few students who cannot provide themselves with the text books necessary to the pursuit of their respective studies, but many are unable to furnish themselves with a course of general reading; and this could be most happily effected by libraries in all our institutions, which would be gradually increased, until they might become a great and extensive blessing.

With regard to the particular heads stated in the last instructions of the Regents on which they require a report, the trustees would make the following statement:

This academy is considered as divided into three departments; 1, Introductory, 2, English, 3, Classical and Scientific. But all

the scholars in each department are required to read once a day in the Bible, and they daily spend twenty minutes in writing, and there are frequent exercises both by spelling *viva voce*, and by writing from dictation of sentences.

On Wednesday afternoon, the compositions are presented, and after being read are exchanged, and every error in spelling, in punctuation and the use of capitals, is pointed out and required to be corrected by the writer. The trustees consider the lower branches, as being of primary importance, and their teachers are sedulously attentive to them.

KINGSTON ACADEMY.—Exercises in spelling are required daily from every student, as also in defining and applying the definitions in some sentence from which the words spelt have been taken.

Much attention is paid to reading and writing, especially the latter, for which purpose a writing-master is employed.

The standard of pronunciation is Walker, and the teachers make it their business, not only in the recitations, but also in all the intercourse they may have with the scholars, to correct any false pronunciation.

NEWBURGH ACADEMY.—Writing is practised daily by all the students; spelling is attended to by all, partly by regular recitations and partly by being obliged to correct the instances of bad spelling in their own compositions. The latter practice has been resorted to very extensively. Very young scholars are required to write essays; they are examined by the teachers, but not corrected. A mark is made pointing out the lines that contain inaccuracies, which the students are to correct by the help of their dictionaries and grammars. This exercise is attended with happy results—an error thus corrected will seldom be committed again—a twofold object is thus acquired, correctness and reflection. Many scholars who learn to spell by reciting from a book, are found incapable of writing a line without some mistake. To remedy this, they are required to copy whole pages from books or write much without copying, mark the pauses, capitals, &c., which is found to have the desired effect.

Much attention is paid to form a correct pronunciation. The teachers are in the habit of openly and promptly correcting all errors of this kind, as well as all grammatical improprieties in the construction of sentences, which may occur either in reading or conversation. Of the latter kind the most common are heard in the use of the pronouns in the wrong case. Conversation is often stopped, and the error, with its correction, written in a conspicuous place on a black board for a future beacon.

Whenever any collateral topic of interest strikes the mind during recitation, time is not considered lost which is spent in descending on it, and students return with a double zest to their work. In this manner, for instance, the Roman antiquities have been read; during the whole course, every opportunity was taken to draw comparisons and contrasts between the Roman constitution and

manners and our own, which was attended with much information to the class. Much attention too has been given to the study of our own constitution and form of government.

NORTH SALEM ACADEMY.—The trustees beg leave here to suggest a difficulty, which they believe is felt to some extent by all teachers, at a distance from the larger towns, viz: The want of information respecting the most approved authors, and the best editions of those authors, on many of the subjects of academical study. Would it not promote the interest, which your board have in charge, to appoint a committee to make inquiry and prepare a list of the text books, to be published in your forthcoming annual report.

Third District.

ALBANY ACADEMY.—*Composition and Declamation.*—All the students in the academy required to attend to these branches are divided annually into four classes; on every Friday afternoon, in term times, two of these classes give in composition, and the remainder speak; thus they are attended to every seven days.

Reading and Spelling.—Of course, all the scholars in the fourth department, either read or spell every day, and most of the younger ones do so twice a day; but in the three higher departments, besides exacting attention to orthography in all, their number is divided into classes, who attend on every Friday, alternately to reading and spelling; and their places and the consequent premiums depends on their excellence in each. The highest classes are required to write down sentences, dictated verbally to them as a merchant does to his clerk. The slates are then examined, and the mistakes marked on the cards used for that purpose, so, also with reading; all mistakes in pronunciation, omissions, or interpolations of words are counted as mistakes.

Penmanship.—All the students required by their parents or guardians, to attend to this branch are exercised in it daily. In the fourth department, they attend thus for three quarters of an hour, and in the three higher departments, for half an hour, daily.

Pronunciation of the English Language.—The standards followed are Webster and Walker. The cases in which any diversity occurs, are comparatively few, and where it is necessary to decide, that pronunciation is recommended which is most generally adopted by public speakers.

Mode of Instruction.—It has ever been a leading object in this institution, as soon as the age of the pupil will allow, to persuade him to commit the *substance* of his lessons, rather than the actual words. In all the higher departments, this principle is carried out, by varying the order of the recitations, and requiring, as far as may be practicable, explanations in his own language, from the pupil. The success of this plan has been unequivocal. Its happiest result is the power of analysis and condensation that is thus insensibly furnished.

ALBANY FEMALE ACADEMY.—The institution is designed to be useful and practical; to this end, it is the intention to teach the science itself, and to regard the text books as the basis of the instruction to be communicated. The students are required to give extemporaneous illustrations of every important principle in the science under consideration, and also, to give a general as well as a particular analysis of the author.

Composition has received particular attention in this institution; and it is believed that the plan pursued in teaching this important branch, has resulted in producing many correct and elegant writers. Instruction in this branch of study is commenced in the fifth department, where the pupils are daily required to incorporate in sentences, to be written by themselves, words given them by their teachers. This exercise is continued in both divisions of the fourth, and occasionally in addition to regular essays in the third department, and experience has demonstrated it to be, an efficient mode of teaching the definition and use of words, as well as the structure of language. In the first and second departments, this productive system is continued. The teachers of composition devote one hour a day to each of these departments, in correcting the essays which are given in once in every two weeks. The composition of each pupil is read aloud in her presence, and all the faults in orthography, incorrect sentences, improper use of words, &c. &c., carefully pointed out.

Themes are occasionally given to the scholars, with an analysis or sketch of the outline, to be pursued in the construction of the essay. After the composition is corrected, the scholar is required to make a copy of the same, and return it to the teacher to be preserved in the institution.

ALBANY FEMALE SEMINARY.—The seminary is organized on the most new and improved plan of the New-England Female Seminaries, taking for a pattern the plan pursued by the Rev. Mr. Abbott of Boston, Mass.

All the branches of academical studies pursued in high schools and colleges, are taught by teachers of the first distinction. The system of instruction is divided in two classes, denominated the useful and ornamental, embracing all the branches necessary to complete the female education. The faculty have adopted as far as practicable the system of recitation lectures, which are highly practical, and tend happily to the cultivation of the moral and intellectual powers.

The seminary is divided into six departments: tuition per quarter is fixed at \$3 in the first department; \$4 in the second; \$5 in the third; \$6 in the fourth; \$7 in the fifth; \$8 in the sixth. The price of board per week is \$2.50. To those young ladies who design to become teachers, particular attention is paid with a view to this object.

JEFFERSON ACADEMY.—The mode of studying Watts on the Mind will furnish a specimen of the mode on several other branches, such as logic, rhetoric, &c. &c.

To a class of a dozen of pupils, is given a lesson, e. g. the chapter on conversation. They are first required to read the chapter cursorily, marking, however, any passage that strikes the mind *very forcibly*, with a pencil. They are next required, *without any concert*, to write out five, (more or less) of the most important questions they can originate by a critical review and study of the chapter, and to deliver these questions to the teacher, at the recitation seat, giving him answers from memory; these answers bring the sentiments (not necessarily the words of the author,) or the result of their own observations or reasonings. It is, I imagine, readily seen, that a *high* ambition is hereby produced between the several members of the class to bring forward a better selection of questions, each, than any of the rest, as well as necessarily a stimulated exercise of the judgment, and a critical examination of other parts of the lesson than those brought forward. This, of course does not preclude the teacher from bringing up at the recitation any important topic, unduly neglected by any or all of the class.

A lecture is given early in the term on the mode of writing compositions. Sometimes a topic is named to the class, implied, e. g., in the word "scholar," and a dozen words, such as time, money, neatness, examination, hours, diligence, slothfulness, &c., and a sentence or sentences required to be formed, having reference to scholar, in which one of these words shall be employed.

After the compositions prepared within a fortnight have been read, each one being read aloud, by its writer before the class; another exercise is habitually practised, which we might call the ten or fifteen minutes extempore composition. Each pupil takes his slate, and is requested to present within three minutes a single word, on which he wishes the class to write, without reference even to a dictionary. The several words are then read, and the teacher names the one on which they are to write fifteen minutes. *All must write something.* At the expiration of the fifteen minutes, all are called to the recitation seat, and we are not a little amused to read each scholar in respect to his natural and acquired abilities, as he reads (from his slate) his composition.

KINDERHOOK ACADEMY.—English composition is intended not only to be an exercise in composing, but in penmanship, orthography, punctuation, use of capital letters, also in reading. We find this exercise in all its parts so valuable, that we regularly give one half day in each week to it exclusively. We endeavor in all the branches to adopt as far as possible, the *inductive* method, by which the particular principle leads on to a more general, until the general principle or definition is brought out; and thus the rule is investigated and *made* by the scholar's reasoning powers, by the understanding, and not abstractly committed to memory, as in the old authors. This method succeeds perfectly in arithmetic, algebra, English grammar.

During a part of the year, extemporaneous speaking, or debating on a question previously taken, is practised with advantage, especially to the older pupils.

As to the pronunciation of the English language, we regard it in *principle* and in *practice*, highly important. Walker is our standard in the main. We endeavor to break up habits of false pronunciation in our daily intercourse with the students, in their public speaking, and at all times. We extend our criticisms to the pronunciation of *proper names*, as well as ordinary words.

SCHENECTADY ACADEMY.—*Male department.*—All the students are exercised daily in reading, spelling, and writing, and these exercises occupy at least one hour of the six.

Webster's Dictionary is the standard of pronunciation, and errors in pronunciation are corrected whenever they occur.

Female department.—The course pursued is, one hour's recitation for each class comprised in the higher branches of English science and modern languages. It is required of pupils in their recitations to give the author's ideas, in their own language. Four days are devoted to the examination of all the classes at the close of each term, when the credit roll for the whole school is read in public—likewise the credit thus enrolled is transcribed for each individual, her own share being on the back of her school bill.

Pupils are required to write one composition each week, which are criticised before the class, afterwards corrected by themselves, and then submitted to a teacher (generally the principal) for further inspection.

Calisthenic exercises 15 minutes each day.

Fourth District.

CAMBRIDGE WASHINGTON.—*Extent of Elementary studies.*—Much attention has been paid by the students in the higher branches, to a revisal of their elementary studies; and this practice has arisen, not only from the manifest importance of the subject, but likewise from the circumstance that so large a portion of our students are young men preparing themselves for teachers. Of the students that have attended the academy during the past year, *eighteen* are now, or have been during the year, employed as teachers in district schools, and we believe the proportion has been as great in former years. A part of Wednesday is devoted to exercises in reading and parsing from the whole school. When these and other minor branches, especially arithmetic, are pursued only as occasional exercises, for the purpose of maturing and rendering permanent former attainments, we have not noticed it in our list of studies. Frequently in such cases, the text book is not used, the teacher supplying its place, either by some other treatise or by oral instruction, selecting such parts of his subject as are most important, or least understood by the class.

Mode of Instruction.—There is nothing peculiar in our mode of instruction. We may remark, however, that we have never used the *Monitorial System*, as we consider it unfavorable to sound scholarship. A teacher ought to be much farther in advance of his pupils than a monitor usually is of his classmates. The only advantage we can see in the system, is that it renders superficial

knowledge cheap. A rule which we have observed, and which we believe is not commonly practised, is to revise on Saturday, the studies of the week. In addition to which, we have a general revisal, commencing about 3 weeks before the close of each term.

ST. LAWRENCE ACADEMY.—We have during the past year delivered lectures on Physical Geography, Nat. Philosophy, English Grammar, Botany, Mineralogy, and the Principles of Teaching. We have sent out upwards of 60 teachers, and yet we have not been able to meet *near all* the calls.—Upwards of 100 might have found employment, at good wages in answering the calls actually made for teachers. Our list of scholars in the higher branches of English education is considerably lessened, I should say at least from 15 to 20, by our efforts to prepare these scholars well for teaching, as they have not a sufficiently thorough and extensive knowledge of arithmetic, geography, &c., to prepare them to teach profitably and successfully, though they may have all the knowledge required to be enrolled as scholars in the higher branches of English education, and consequently are kept so long on these preliminary studies, that they do not afterwards spend four months with us, before going out to teach for the winter.

We adopt the principle, that the great end to be secured in communicating instruction is the discipline of the mental faculties—that mode of instruction deemed best calculated to lead the scholars voluntarily to exercise these powers, and which, while it renders them all needed assistance, still throws them upon their own resources and efforts, is that at which we aim. This same view governs in regard to the selection of subjects of study. Their tendency to discipline the mental powers is regarded of the first importance, and next to this, their practical utility. Considerable effort has been made to become acquainted with the improvements introduced into our best schools. With this view the principal visited N. England, and attended the meetings of the Institute of Instruction in Boston, in August last.

GOUVERNEUR HIGH SCHOOL.—The greater part of our older students, who have left the academy, either temporarily or finally, have engaged as teachers of common schools, of which this institution has within the last year, furnished not less than 41, most of whom were well qualified and are highly useful in that station.

The *accurate pronunciation* of the English language is minutely attended to; and a very pleasing and commendable degree of correctness is attained by nearly all the scholars, who continue any considerable time in the school. This result is produced by the following practice. In reading, every scholar in the class is charged to note and expose publicly every error or vulgarism in pronunciation, which any other scholar is guilty of; and in declamation, the whole school are expected to act as critical spectators and censors, upon each speaker—the teachers being the umpires. These criticisms are highly relished by the scholars, and are often *piquant* and amusing, and always instructive. They ensure great care and precision.

Fifth District.

HAMILTON ACADEMY.—We believe the advantages in this academy for the education of school teachers, are as good as in most others, particularly in the fall time, when classes are formed for this purpose.

Between 40 and 50 of the scholars who have been instructed in this institution, since the last report, have since engaged in teaching either select or common schools.

LOWVILLE ACADEMY.—Ten teachers of common schools have been instructed in this academy during the year.

UTICA ACADEMY.—The government of the students is rigid, but not severe. One general rule is sufficient to guide the students at all times and on all occasions, viz: "Every scholar must do his duty." When other means fail to produce obedience, corporal punishments are inflicted at the discretion of the teachers; generally, however, with information to the parent of the character, and circumstances that call for severity. If offences are then persisted in, the delinquent must be voluntarily removed or dismissed.

In the classical department, English translations of any description, and clavises are never allowed to be used as aids to the student. He is always required to subject himself to a rigid analysis of the sentence to be learned, in strict conformity to the etymology and grammatical idiom of the language, without any attempts at guessing what may be the sense in a loose translation, before he is allowed to render in a style of freedom or elegance. This cannot be done without repeated parsing and construing of the sentences by the teacher, who in this way leads his pupil, instead of being contented to follow him, through his lesson. And as the students are arranged in a class, where they take precedence according to their own efforts, these exercises in parsing, in tracing etymologies, in rendering words and phrases with faithfulness to the original, and in forcible and elegant English, and at the same time pointing to similar constructions and phrases in other authors for illustration, effectually secure the mind from temptations to trifling, and produce the most animating contests of emulation that are witnessed in the school-room. In this way the teacher becomes a powerful auxiliary to his pupils, and for the purposes of ready illustration, is their book of constant reference.

It is found by many years experience, that the readiest method of acquiring a dead language, is to commence early with written exercises, and to pursue them daily until the peculiarities of idiomatic construction, as well as the rules of syntax, become so familiar that they constitute a part of the learner's mode of thinking. An accurate knowledge of any language can be acquired in no other way.

In teaching arithmetic, book-keeping and the mathematics, every step is meant to be strictly analytical. Every question, beginning with the youngest scholar in the junior department, is wrought to and explained on the black board in sight of the whole class. The

day books, journals and ledgers are all formed with their several entries on the board, and after having been explained and corrected, are transferred into proper books. Vulgar and decimal fractions are commenced as early as possible. And perhaps a greater portion of operations in arithmetic is wrought by fractions and rules depending immediately on their principles, than in any other method. This forms the readiest introduction to algebra. Algebra is begun as soon as common arithmetic is well understood, and is then applied to every process where analysis can by this means be rendered shorter or plainer. Mensuration, trigonometry, geometry and the diagrams in astronomy are in their turn to be exhibited on the black board. So delighted with the black board system do the students generally become, that we often find here some of the severest contests of emulation.

The recitations in history and the constitutions form a prominent feature in our system. The books which are recited, are mere texts or foundations for ampler materials of history and constitutional law, drawn from larger works, such as Pitkin's History of the United States, Duer on the Constitution, Federalist, Story and others. The materials for statistics, are collected with no small labor from writers on statistics, the American Almanac, the public documents of the United States, and the State of New-York. These papers, so far as they can be procured, particularly the reports of the heads of the departments, are read and recited.

Several efforts have been made to introduce certain portions of the Revised Laws of the State, and although hitherto our success has not fully met our wishes, yet an attempt will again be made during the coming year. The greatest difficulty arises from a want of a sufficient number of the proper books. Those which have heretofore been published with a reference to this object, are but partially adequate to the extensive and liberal views which should always be embraced in such a branch of education in our academies, and which are adapted to the wants of youth, who are to be educated as the future depositories and guardians of the liberties of our country.

Exercises in reading and spelling are always weekly, sometimes daily, performed by those in the classics and the higher branches, and always daily in the junior departments; and at the time of reading and spelling, an "off-hand" definition of the words in the lesson is required of each student. This part of the exercise, trifling as it may appear, is eagerly sought for by the students, and produces the happiest effects in securing habits of attention, promptness and quickness of discrimination. Exercises in penmanship are attended by all the students in the academy, as often on an average as four times in each week.

From the above imperfect outline, the Regents will appreciate the motives of the trustees, believing as they do, that the primary principle of a sound and useful education, is the unfolding of the faculties of the mind and the formation of habits—in insisting upon the teacher's requiring of the pupils the most rigid exactness in their studies—compelling them to examine and re-examine, to review again and again their lessons, till they become perfectly fa-

miliar. This duty, arduous and tiresome as it is, must be cheerfully submitted to by the teacher, and must be promptly and without evasion, performed by the student. In default of faithful performance, he must be detained beyond the stated hours. It consequently often happens, that the teachers, instead of being released at the end of six hours, are employed for eight or nine hours. The exciting of habits of mental attention in the student, is the greatest, the most difficult, and the most important "victory" that an able teacher ever obtains, and is the cardinal secret of a thorough education. Nothing can achieve this but the most rigid exactness, always accompanied with a well tempered but unyielding firmness on the part of the teacher, who feels his responsibility and will command personal self-respect.

Habitual idleness must never be tolerated by the teachers of our academy. The students must be taught that industry is a duty. The incorrigibly idle are separated from the regular classes, and degraded into classes by themselves, and subjected to punishment at the discretion of the teachers. Their situation here soon becomes so uncomfortable, that they are usually removed by parents to places more congenial to their habits.

WHITESBOROUGH ACADEMY.—Each pupil in geography has been required to draw upon her own black board, without an atlas, the map containing the lesson each day. The pupils in both ancient and modern geography have, in addition to what they have learned in their text books, written and committed about 200 pages of notes furnished by their teacher, containing associations, literary, chronological, classical and biographical, designed to impress the subject more deeply upon their memories, and to furnish a fund of information which will give interest to their general reading. The older pupils have been required to write exercises in the transpositions of Milton's *Paradise Lost* twice each week.

Sixth District.

CORTLAND ACADEMY.—The trustees, during the past season, have made an effort to instruct teachers of common schools on a plan different from what they have heretofore been accustomed to. A class was formed at the commencement of the last term, and instructed with special reference to preparing them for teaching common schools. The principal objects proposed in the course of instruction adopted, were to make them thoroughly acquainted with the branches usually taught in those schools, and with the best modes of instruction and discipline. The result has fully answered our expectations, and 24 young men from our institution are now engaged in teaching. Those who were best qualified have secured good wages; and we consider the point now fully established, that if the public can be furnished with good teachers they will employ them at a compensation which will be a fair equivalent for their labor. We greatly need the means of doing much more in this department than we have yet been able to do. We feel that the importance of the object presents a strong claim

on the munificence of the State. Many of the young men who formed the class attended a course of experimental lectures on chemistry, and were sufficiently acquainted with this and other departments of natural science to teach them successfully. We have no doubt that a class of *fifty* could be formed the next season if we had the means of employing an extra teacher for this department, and with the very best effect on the interests of common school education. We ought to be able to make the tuition of the class gratuitous, or to place it at a very low rate, because the young men who engage in teaching are generally poor and depend entirely on their own exertions for support. Any money which the Regents may appropriate to this institution for this purpose, will be faithfully applied.

OXFORD ACADEMY.—Reading, writing and spelling are among the daily exercises of the younger classes, and reading and spelling are the weekly exercises of all the advanced students. Errors in pronunciation are corrected as they occur in the ordinary business of the school, and particularly in presence of the whole school during the exercises of public speaking. The bible is used as a reading book once a week by the whole school.

Teachers Department.—A department for the instruction of teachers has been continued for 2½ months of the year, during which time an additional teacher was employed for the purpose of affording to those young men who were about to enter upon the business of teaching for the ensuing winter, advantages for instruction, which they could not have when classed with the rest of the school. Instruction was given in all the branches required to be taught in common schools, and also history, constitution of the United States and of New-York, algebra, geometry and surveying, to those who could find leisure to pursue them. A course of lectures on school-keeping and practical illustrations of the duties of teachers was given during the continuance of the department. It is not believed that 2½ months is a sufficient time to prepare young men properly for the discharge of their duties as teachers, but it is as long and even a longer time than the department has been able to sustain itself. The effect of these instructions to teachers has been to produce a greater uniformity in the manner of conducting schools, and it is presumed also an improvement in their condition. It may be remarked, that all the teachers in the academy found a very ready employment, and at a compensation, on an average, of \$2 or \$3 per month in advance of those who had not been instructed for the business of teaching. The wages of the teachers obtained at the academy, varied from \$12 to \$25 per month. The number of teachers instructed at the academy during the year was 37.

Seventh District.

CANANDAIGUA ACADEMY.—About four years since a teachers department was organized on the following plan: 1st. That those young gentlemen who entered this school to prepare themselves

for teachers, should enter the classes pursuing those branches in which they wished, or it was deemed necessary, to perfect themselves. In these classes the instruction is to be very extended and minute. 2d. The teachers to be organized into a class and receive a specific course of instruction on the following plan: To meet five evenings each week and spend two or three hours together. On three evenings of each week, Hall's Lectures on School-keeping are recited till the book is finished and thoroughly reviewed. The lessons are short, and the time is filled up by the instructor in further illustration of the subject, and by prompting inquiry and examination in the class. The remaining evening of the week is devoted to the consideration of a series of subjects; one being discussed on each evening. Each member of the class brings in a written subject. So many of these are read as the time will allow. The important hints thrown out by the members are particularly stated by the instructor, enlarged upon and illustrated. Mutual conversation is called forth. This evening exercise is attended with great interest and profit, both to the instructor and to the class. The subjects discussed on these evenings are nearly the following, and in the order mentioned:

1. The defects in common schools.
2. The circumstances which restrain and discourage the efforts of the teacher.
3. The best modes of teaching the alphabet, reading and spelling.
4. The best modes of teaching arithmetic, and the best books.
5. " " " geography.
6. " " " English grammar.
7. " " " writing and making of pens.
8. Pestalozzi and his mode of instruction.
9. Government of schools.
10. Best method of arresting the attention of pupils. Substitution of signs, &c., for the ordinary questions in schools.
11. How to teach composition.
12. What plans can the teacher adopt to render his labors more extensively useful to his pupils? This inquiry is designed to embrace the formation of school lyceums, school libraries, the circulation of periodicals relating to education, &c.
13. Construction of school-houses.

This course of instruction is designed to continue one quarter of each year. Hereafter a teachers class will be organized both in the summer and winter terms. It is not supposed that such a course of instruction is all that is needed; by no means. The course, however, is such as to give to young men a more elevated, enlarged and accurate view of what a teacher should accomplish; prompt thought on the subject of communicating instruction, leads to the invention of new methods of teaching and commanding the attention of pupils, and becomes, in some degree, a substitute for a long and painful experience. It is due to the teachers of this school to say, that this course has been sustained by them at a great sacrifice of time and labor, without any reward except the ~~h~~ of doing good.

In the primary department of this academy, attention to spelling, reading and defining is daily given, and many times a day. It is deemed of the first importance. In the higher department, from one-half to three-fourths of the students are regularly exercised in spelling and reading from two to four times each week. The younger class of lads read, spell and define every day, except Wednesdays and Saturdays. Compositions are required weekly of all the students in the upper departments, declamations of all those whom the principal deems it profitable to be exercised in this manner. It is very respectfully suggested to the consideration of the Regents, whether there may not be some pupils, who, from constitutional temperament or inability, ought not to be required to declaim. From information derived from the principal, we state, that two or three names have not been put on the list of those entitled to draw a portion of the literature fund, because they did not declaim, and they were excused from this exercise, from an unwillingness on his part, to compel young men under peculiar circumstances to perform this exercise."*

The number of teachers who have been through a regular course in the teachers' department during the last four years, is about sixty.

CAYUGA ACADEMY.—As knowledge is mainly derived and communicated through the medium of words, and the correctness of all our ideas derived from language written or spoken, rests on our just conceptions of the meaning attached to words in their common acceptation, and as no person can comprehend the true import of what he reads or hears, any farther than he understands the appropriate definition of words in their distinctive sense and figurative application, the practice of spelling and defining has for many years been made a regular and uniform exercise. The book adopted is the New-York Expositor, a compilation of the more general words in use by Richard Wiggins, with John Griscom's vocabulary of technical and scientific terms. The time for spelling and defining is on Wednesdays and Saturdays in each week, and the number of words at each lesson is 60, or 120 per week. This is made an extra lesson, to be acquired out of school, and at the intervention of so much time, that each pupil so disposed, may become perfect master of every word in all its significant applications.

In geometry, trigonometry, philosophy and astronomy, there are standing diagrams, by which most of the important principles in these sciences are practically exemplified. Diagrams from No. 1 to No. 34, designed to cover all the varieties of superficies and solids known to Mensuration, are in the view of the students. In these the students are exercised as a kind of pastime, and have the opportunity of excelling each other in promptness, precision and accuracy of calculation, and also of suggesting the greatest variety of application in active life. For five years past, lectures have uniformly been given on Wednesday afternoon in each week, at

* Such students need not be exercised in declamation.

the close of academic exercises. This course of lectures has embraced history, philosophy, astronomy and chemistry.

ONONDAGA ACADEMY.—The primary department was established last May by way of experiment. Spelling, reading and writing constitute a part of the exercise of the ordinary English student, but have hitherto been voluntary with the classical and more advanced English student. Arrangements are now in progress for having these, but especially reading and spelling, constitute a part of the regular and established exercises of the institution.

Mode of Instruction.—This is intended to be *practical* in the true sense of the word, and is so, as far as the nature of the subject and other circumstances will permit. The student is required to *understand* what he does, so as to be able to give a reason for the same, &c.

YATES COUNTY ACADEMY.—The general mode of instruction is by familiar lectures, and scholars are required to thoroughly understand *elementary principles*, before they proceed in any study to which they may attend. Special attention is paid to reading, writing, spelling, pronunciation, &c. Weekly public lectures are given by some one of the teachers, on some subject connected with education. During the past year, from twenty to thirty individuals have been qualified (in the opinion of the teachers,) and sent out from the academy to become teachers of common schools.

Eighth District.

FREDONIA ACADEMY.—A class was first organised in this academy in 1832, to study the principles of teaching, and again in 1833. In these two years, probably about thirty school teachers have received here the benefits to be derived from a systematic course of lectures and recitations upon this subject. The trustees have also adopted the plan suggested by the Secretary of the University, of organizing classes in the study of our own constitutional and municipal law.

LIVINGSTON COUNTY HIGH SCHOOL.—By “critical reading” of *Paradise Lost*, or any other work, is meant, not only reading it with reference to the sense and beauties of the author, but to the tones, emphasis and inflections, constituting correct and impressive elocution. In this exercise the scholar is questioned critically as to the meaning of every word in the lesson, which he might be presumed not to know without consulting a dictionary, and required to give a definition, which being substituted for the word in question, will preserve the sense. Great benefit is derived to the pupil from this exercise, in accustoming him to *attend* to what he reads, and giving him (by the practice of defining) a command of words, and a facility and a variety of expression, not to be acquired it is believed, in any other way. Learning definitions from a dictionary in the ordinary method, is liable to this objection, that the words have no connexion in sense or grammar, nor any relation with each other

but that of alphabetic succession. The learning of their meanings therefore, is an effort of memory merely. Again, the current application of words, not unfrequently differs widely from the acceptation given them in a dictionary, and can only be learned from their connexion in a sentence. In the third place, very many of the words found in our dictionaries, are either obsolete or not well authorized. To all this may be added, that the definitions of detached words learned from a dictionary, are not likely to be remembered for a single week, and it is therefore labor and time lost.

Spelling.—The pupils in this institution are exercised in spelling on their *reading lessons*; no use being made for this purpose of a dictionary or spelling book. This method is conceived to have several advantages. First, the words occur in all their inflections, such as the persons of verbs, the cases and plurals of nouns, whereas, in a dictionary, the root or primitive word only is found. Secondly, the words are such as are in most frequent use, and therefore most important to be known. Reading, spelling and defining is a daily exercise of nearly every pupil in the school. The system pursued in this school is stated with some particularity, because it is, so far as the knowledge of the principal extends, not usually, if at all, adopted in other institutions, and is found to be eminently beneficial.

ROCHESTER HIGH SCHOOL.—Great efforts have been made by the principal to qualify young ladies and gentlemen, by a competent course of study, to become teachers in common schools. There are about twenty-five young ladies from this institution now engaged in common schools and the higher departments, and about the same number of males. The principal, in the August vacation, visited the villages in this and the neighboring counties, to interest the public and teachers of common schools, in deriving aid from the instruction, lectures and examples intended for a class of teachers. Many of that class are now conducting large schools, and no one remained the time required to be entitled to a place in this report, and no compensation from tuition equalled the expense. Still the success evinces the safety of relying on academies to qualify teachers for common schools. Of the young men educated during the preceding and this year, forty have been or are teaching, and many in valuable select schools, making in all seventy males and females employed as teachers. It may be added, that a large part of the instruction in the higher classes of the female department, has been imparted by the gentlemen of the seminary.

True extracts.

GIDEON HAWLEY,
Secretary, &c.

Albany, February 24, 1835.

SCHEDULE No. 7,

Containing abstracts from the academic reports for 1834, made to the Regents of the University, exhibiting a statement of the various prices charged for tuition in the several academies, from which such reports were received, on the different subjects of study pursued in such academies.

Names of Academies.	Subjects of study.	Prices charged.
Clinton,	<i>First District.</i> Languages, and higher branches of English, per quarter,	\$5 00
Erasmus Hall,	All other branches, Elementary branches per quarter, from do with arithmetic, Eng. grammar, and geography, Algebra and geometry, History, trigonometry, &c., Classical studies, Reading, writing, and arithmetic, Geography and book-keeping, Latin, Greek, and mathematics, Male department, (per session 23 weeks,) Female " " Extra—Drawing, painting, &c., \$10; French, \$16; music, \$28.	3 00 \$2 50 to 3 00 3 50 4 00 5 00 4 50 to 10 00 2 00 3 00 5 00 6 00 to 22 00 9 00 to 16 00
Oysterbay,	<i>Second District.</i> For every branch, per week, Classical department, per quarter, English " "	0 25 8 00 4 00
Union Hall,		
Delaware,		
Dutchess County,		

Kingston,	Orthography, reading, and writing,.....	per qr.	3 00	No. 70.]
	Geography, history, grammar, arithmetic, and nat. philosophy, "	"	4 00	
	Languages, algebra, &c.,	"	5 00	
Farmers' Hall,	Latin and Greek,	per term 4 months,	5 00	
	Higher branches of English,	"	3 00	
	Reading, writing, arithmetic, and geography,	"	2 00	
Montgomery,	Tuition,	per qr.	2 50 to 6 00	
	Extra.—Music, per quarter, \$8; use of piano, \$2; drawing and painting, \$5.			
Mount-Pleasant,	Tuition,	per qr.	2 50 to 5 00	
Newburgh,	Classics and mathematics,	"	5 00	
	Common branches,	"	3 50	
North Salem,	Tuition,	"	2 00 to 5 00	
Redhook,	Male department,	"	2 00 to 5 00	
	Female "	"	2 00 to 4 00	71
	<i>Third District.</i>			
Albany,	Classical department,	"	8 00	
	English education, general science, mathematics, &c.,	"	6 00	
	Elementary department,	"	4 00 to 5 00	
	French is considered one of the higher branches, and forms no extra charge.			
Albany Female Academy,	Sixth, or lowest department,	per qr.	3 00	
	Fifth,	"	4 00	
	4th, \$5; 3d, \$6; 2d, \$7, and 1st department,	"	8 00	
	French, \$5 per quarter extra.			
Albany Female Seminary,	1st, or lowest department,	"	3 00	
	2d, dept. \$4; 3d, \$5; 4th, \$6; 5th, \$7, and 6th,	"	8 00	
Hudson,	Common branches,	per qr. of 12 weeks,	3 00	

No. 7—CONTINUED.

<i>Names of Academies.</i>	<i>Subjects of study.</i>	<i>Prices charged.</i>
Jefferson,	Higher English branches,	\$4 00
Kinderhook,	Mathematics and languages,	5 00
	Not stated.	
	Common branches,	3 00
	Higher branches of English education,	4 00
	Languages and mathematics,	5 00
	French, extra, \$5 per quarter.	
Lansingburgh,	Not stated.	
Schenectady,	Male department, English branches,	5 00
	Classics,	6 00
	Female department, Elementary branches,	3 50
	Higher branches, each addition \$1.	
	French, \$5; drawing and painting, \$7 and \$8; music, \$10.	
	<i>Fourth District.</i>	
Cambridge Washington,	Classical, and higher English branches,	20 00
	Minor branches,	12 00
Canajoharie,	Reading, writing, and arithmetic,	2 00
	Grammar, geography, and history,	3 00
	All other studies of a higher grade,	5 00
Franklin,	Not stated.	
Gouverneur H. School,	Primary branches, including grammar, geography, and arithmetic, for young scholars, per term of 16 weeks,	3 00

	"	" for older students, "	4 00
	Higher branches, and classical studies, "	"	5 00
Granville,	Classics, and higher branches,	"	4 00
	Lower branches,	"	3 00
Johnstown,	Classics, and higher branches,	per term of 4 mos.	6 00
	Arithmetic, grammar, geography, &c.,	"	4 00
	" in connection with any one of higher Eng. studies, "	"	5 00
Plattsburgh,	Common branches,	per qr.	3 00
	Higher	"	4 00
St. Lawrence,	Arith., geog., gram., history, composition, and classics, per term of 4 m.	"	4 00
	Higher branches of English, and mathematics,	"	5 00
Washington,	Classics, and higher branches of English,	per qr.	5 00
	All others,	"	3 00
	Music, \$10.		
	[Terms of 4 months, seem to be intended by above quarters.]		
	<i>Fifth District.</i>		
Bridgewater,	Greek and Latin,	"	4 00
	Chemistry, Eng. higher branches, and mathematics,	"	4 00
	History, geography, rhetoric, and moral philosophy,	"	3 00
	Reading, writing, grammar, and arithmetic,	"	2 50
	French, drawing, and painting, \$5.		
	Music and use of piano, \$10.		
Clinton Gr. School,	Latin and Greek,	"	5 00
	Arithmetic,	"	3 00
	Higher Eng. branches,	"	4 00
Fairfield,	netic, and geography,	per term, 4 mos.	3 00
	"	"	5 00
Hamilton, .....	.....	per year,	21 00

No. 7—CONTINUED.

Names of Academies.	Subjects of study.	Prices charged.
	Other studies, per year,	\$16 00
	Music, per year, \$40.	
Lowville,	Common branches, per qr.	\$3 00 to 4 00
	Languages and higher branches of English,	5 00
Oneida Institute,	For term of 40 weeks,	22 00
Rensselaer Oswego,	Common English studies, per qr.	3 00
	Higher branches of English, Latin, and Greek,	4 00
	French, Spanish, &c.,	5 00
Sem. of O. & G. Conferences, ..	Common Eng. studies,	3 00
	All other studies,	5 00
Union,	Not stated.	
Utica,	Common Eng. branches, per annum,	16 00
	Classics and higher mathematics,	20 00
	Higher branches of English,	16 00 to 20 00
Whitesboro',	Not stated.	
	Sixth District.	
Cherry-Valley,	Not stated.	
Cortland,	Languages, French, and higher branches of mathematics, and English,	5 00
	Eng. grammar, geography, and arithmetic, per term of 15 weeks,	3 75
	Reading and writing,	3 00
	Music, \$10; use of piano, \$2.	

Franklin,	Not stated.			
Hartwick,	English studies, (common,)	per term, 4 mos.	3 00 to	4 00
Ithaca,	Higher do and classics,	"	4 00 to	6 00
	Classics, and higher Eng. branches,	per year,	20 00	20 00
Oxford,	Elementary Eng.	"	16 00	16 00
	Common Eng.	per qr.	2 75	2 75
	Higher	"	2 25	2 25
Owego,	Languages,	"	4 25	4 25
	Languages, painting, drawing, botany, and moral philosophy, ..	"	5 00	5 00
	History, and other higher Eng. branches,	"	4 00	4 00
	Other studies,	"	2 00 to	3 00
<i>Seventh District.</i>				
Auburn,	Not stated.			
Canandaigua,	Primary department,	"	2 60	2 60
	Higher	"	4 00	4 00
Cayuga,	French or Spanish, extra \$2.50,	"		
Onondaga,	Per term of 16 weeks,	per qr.	2 67 to	6 67
	Primary department,	"	1 50 to	2 50
	Ord	es,	3 00	3 00
	Clas	Eng. studies,	4 00	4 00
	N	and use of apparatus, extra, \$2.		
Ontario Fem. Sem.,	Not stated.			
Ovid,	Elementary Eng. branches,	per year,	12 00	12 00
	"	with geography, and globes,	14 00	14 00
	Rhetoric, and higher Eng. branches,	"	16 00	16 00
	Languages and mathematics,	"	18 00	18 00
Palmyra H. School,	English branches,	per qr.	2 00 to	4 00
	"	with higher mathematics, and languages,	5 00	5 00

No. 7—CONTINUED.

<i>Names of Academies.</i>	<i>Subjects of study.</i>	<i>Prices charged.</i>
Pompey,	French and Spanish, in addition, \$3,..... per qr, Drawing and painting, extra, \$5, " Music, extra, \$12.50,..... " Classics, and highest Eng. branches, (supposed to be for term, 22 wks.) Other studies,..... " " Primary department, per qr, English " " female " and classical, " Music, \$8; music and painting, \$10; French alone, \$5,..... " " with Eng. \$7, ..	\$4 00 3 00 2 00 4 00 5 00
Yates County,.....	<i>Eighth District.</i>	
Fredonia,	Elementary studies, per term, All others,..... " Drawing and painting, extra, \$3,..... " Male department,..... per qr, Female " painting and drawing, \$3; music, \$10,..... " Common Eng. branches,..... " Higher " " with French, " English department, " Classical " Primary "	2 50 4 00 \$4 00 to 5 00 5 00 8 00 10 00 3 00 4 00 1 50
Lewiston,.....		
Livingston Co. H. School,.....		
Middlebury,		
Rochester H. School,		

English	"	lower branches,	"	4 00
"	"	higher "	"	5 00
Mathematical department and classical,	"	.....	"	5 00
Female	"	lower branches,	"	3 00
"	"	higher "	"	5 00
Music, \$10, .....	"	.....	"
English studies, (except higher mathematics,)		per year,		12 00
Classics and mathematics, .....		.....	"	16 00
Springville,				

A true abstract.

GIDEON HAWLEY,
Secretary of the University.

Albany, February 24, 1885.

SCHEDULE No. 8,

Exhibiting the results of observations made at one of the Colleges, and at several Academies in the State, on the variations of the Magnetic Needle.

Names of College and Academies.	Latitude N.	Longitude W.	Magnetic variations.		When observed.
Geneva College,.....	42° 52'	75° 05'	3° 49'	00'' W	October 1, 1833,
Academies.					
Albany,.....	42 39	73 44	6 40	00 W	October, 1834.
Auburn,.....	42 55	76 28	3 43	00 W	October 25, 1833.
Clinton,.....	41 00	72 19	6 08	00 W	November 5, 1834.
Erasmus Hall,.....	40 37	73 58	4 25	00 W	October, 1834.
Johnstown,	43 00	74 23	6 02	00 W	November 24, 1818.
Oxford,	42 28	75 33	3 51	45 W	October 9, 1834.
Utica,	43 06	75 13	4 10	00 W	October, 1834.
Seminary of Genesee and Oneida Conference,	42 55	75 51	3 25	00 W	October 31, 1834.

A true copy.

G. HAWLEY,
Secretary of the University.

SCHEDULE No. 9,

Exhibiting the names of several Academies which have made application to the Regents of the University, for money to be applied to the purchase of Books, Maps, Apparatus, &c., pursuant to the act of the Legislature of the 22d of April, 1834.

Names of Academies making application.	Amount of money applied for.
Erasmus Hall Academy,.....	\$250 00
Oyster Bay, ".....	100 00
Montgomery, ".....	50 00
Mount-Pleasant ".....	250 00
Albany Female, ".....	250 00
Gouverneur High School,.....	
St. Lawrence Academy,.....	250 00
Bridgewater ".....	40 00
Hamilton ".....	{ Enough to purchase surveyor's compass, &c.
Lowville ".....	
Seminary of Oneida and Genesee Conferences, {	Trustees say they will appropriate as much as they receive, &c.
Cortland Academy,.....	\$250 00
Ithaca ".....	250 00
Ovid ".....	250 00
Palmyra ".....	250 00

GEDEON HAWLEY,
Secretary of the University.

Albany, February 24th, 1835.

REPORT

Of a Committee of the Regents of the University of the State of New-York, on the education of Common School Teachers, presented to the Regents at their annual meeting at the Capitol, in the city of Albany, on the 8th day of January, 1835.

At the Annual Meeting of the Regents of the University of the State of New-York, held pursuant to the statute in such case made and provided, at the Senate Chamber in the Capitol, on the 8th day of January 1835,

PRESENT,

The GOVERNOR,

The LIEUT. GOVERNOR,

MR. YOUNG,

MR. DIX,

MR. KING,

MR. CAMPBELL,

MR. WENDELL,

MR. CORNING,

MR. PAIGE,

MR. WETMORE,

MR. SUDAM,

MR. MCKOWN.

Mr. Dix, from the committee appointed at a special meeting of the Regents of the University, on the 22d day of May last, to prepare and report a plan for the better education of teachers of common schools, submitted a report, which having been read, was in part considered; the final consideration thereof being postponed to the next meeting of the Board.

The following is the report as first submitted to, and finally adopted by, the Regents.

TO THE REGENTS OF THE UNIVERSITY.

“At a meeting of the Regents of the University of the State of New-York, held on the 22d day of May, 1834, a certified copy of an act of the Legislature entitled ‘An act concerning the Literature Fund,’ passed May 2d, 1834, was presented to the Board and read; and it appearing that the subject matter of the said act related to the application of part of the income of the Literature Fund to the education of teachers of common schools, under the direction of the Regents of the University, it was thereupon,

Ordered, That it be referred to Messrs. Dix, Buel and Graham to prepare and report to the Regents at some future meeting, a

[Senate, No. 70.]

plan for carrying into practical operation the provisions of the said act."

In discharging the duty confided to them under the foregoing resolution, the committee have become deeply impressed with the importance of the subject. They are satisfied that it will depend much on the measures which may be adopted by the Regents in pursuance of the authority conferred on them by the act of the 2d of May last, whether the leading and acknowledged defect in our common schools,—the want of competent teachers,—shall be remedied, or whether it shall continue to embarrass, as it long has done, the efforts of the Legislature and of individuals, to carry out our system of popular instruction to the great results which it is capable of producing. In its organization, and in the annual contributions which are made to its support, the liberality of the Legislature, and of the people on whom the burden principally falls, is, in the highest degree, creditable to the State: and if the effects of a large expenditure of money, continued for a series of years, have not been as beneficial as might have been anticipated from the amount of the expenditure, the causes are to be found in some defects of the system, for which an early remedy should be provided.

The committee have already said that the principal defect is the want of competent teachers; and the position is indisputable, that without able and well trained teachers, no system of instruction can be considered complete. Much may be accomplished by a judicious choice of the subjects of study, and by plans of instruction divested of every thing which is superfluous; but to carry these plans into successful execution, talents and experience are indispensable, and if they are wanting, both time and money are misapplied, and the effort which is put forth, falls short of its proper and legitimate effects.

In other countries, seminaries for the education of teachers have been deemed an essential part of the system of primary instruction. Mr. Cousin, in the year 1832, in his report "on the condition of public instruction in some of the provinces of Germany," asserts that "primary instruction is wholly dependent on the primary normal schools," or schools for the education of teachers; and he observes that in France, thirty have been established, "of which twenty are in full operation, forming in each department a great focus of illumination for the people."

In Prussia, the system of public instruction had an earlier origin, and results, far more extensive and beneficial, have been obtained. It is more complete in its organization, and more efficient in its practical operation than any similar system, of which we have any knowledge. In the year 1833, that kingdom had forty-two seminaries for teachers, with more than two thousand students, from eight to nine hundred of whom were annually furnished for the primary schools. The vocation of instructor is a public office, as well as a profession. He receives his education almost wholly at the expense of the state; his qualifications to teach are determined by a board deriving its authority from the

government: his salary cannot be less than a certain sum, which is augmented as occasion requires, and the local authorities are enjoined to raise it as high as possible above the prescribed minimum. Finally, when through age or infirmity he becomes incapable of discharging his duties, he is allowed to retire with a pension for his support. These provisions of law have made the business of teaching highly respectable, and have secured for the primary schools of Prussia, a body of men eminently qualified to fulfil the elevated trust confided to them.

It must be confessed that the efficiency of these measures is derived in a great degree from their compulsory character, and that they could only be carried into complete execution by a government having the entire control of the system of public instruction. It was apprehended that the subjection of the system to the discretion of the persons, on whose contributions the schools depend for their support, might frequently thwart the government in its measures, and sometimes wholly defeat them. For this reason, parents are required by law to send their children to school, and they are punishable by fine if they refuse or neglect to do so. For the same reason, the principal part of the expenditures necessary to comply with the law in maintaining the primary schools, paying the salaries of teachers, providing school-houses, with their appurtenances, furniture, books, maps, and apparatus, is paid by property and income in proportion respectively to the amount of each in value, and those, on whose contributions the maintenance of the schools depends, are neither allowed to judge of the extent of the provision required for the objects referred to, nor to have any voice in the selection of their teachers, those provided by the State being employed under the direction of an authority independent of them. These features of the system, are in a great degree, irreconcilable with the spirit of our political institutions: but the committee believe that public opinion may be stimulated to a just conception of the importance of making more ample provision for teachers, and thus supplying a deficiency, apart from which our system of popular instruction would be equal in efficiency, as it is now superior in extent, in proportion to our population, to any other in the world.

Common school instruction in this state existed a long time upon the foundation of voluntary private contribution before it was recognised and reduced to a system by public law. The result was to put in requisition the services of large numbers of persons, who by long practice had become familiar with the business of teaching; and it is, doubtless, to be ascribed, in no inconsiderable degree, to this circumstance that the necessity of making some provision for the education of teachers was not felt at the time the common school system was established.

Although this important subject had been repeatedly recommended to the attention of the Legislature by several of the Governors of this State, no provision was made by law, in conformity to these recommendations, until the year 1827, when an act was passed adding to the capital of the Literature Fund, the sum of one

hundred and fifty thousand dollars, for the avowed object of promoting the education of teachers. But as the annual income of the Literature Fund has been heretofore distributed among the academies in the State, without any restriction as to its application, it has in very few instances been devoted to the object in view of the law. To this remark there are, however, several exceptions. The St. Lawrence, Oxford and Canandaigua academies have each established a course of lectures and exercises for the preparation of teachers; and such has been their success with a very limited contribution from the public treasury, that an augmentation of the means of some of the academies, is obviously all that is necessary to render such a course of instruction of inestimable value to the common schools of the State. In the neighborhood of St. Lawrence Academy, the school districts are almost entirely supplied with teachers educated at that Institution; and so beneficial has been the effect of introducing into the schools a better class of instructors, and more efficient plans of instruction, that the compensation of teachers is already, on an average, from thirty to forty dollars per annum more than it was before the academy had established a department for training them. The influence of these measures upon the public opinion of a small section of the country, furnishes the strongest ground of assurance that it is necessary only to extend them in order to produce the same results on a more extensive scale.

It may not be improper to remark that the question of creating separate seminaries for the education of teachers has been repeatedly before the Legislature, but after full examination it was deemed more advantageous to engraft upon the existing academies departments of instruction for the purpose.

This may now be considered the settled policy of the State; and it will, therefore, be necessary only to inquire in what manner it can best be carried out to its results.

The act of the 2d of May, 1834, authorises the Regents of the University to distribute the excess of the annual revenue of the Literature Fund, or portions of it, over the sum of twelve thousand dollars, "if they shall deem it expedient, to the academies subject to their visitation, or a portion of them," to be expended in educating teachers of common schools; and it is made the duty of the trustees of academies, to which any distribution of money shall be so made, to apply it to the purpose specified "in such manner and under such regulations as said Regents shall prescribe."

The Regents are, therefore, entrusted with an unlimited control over such portion of the excess of the revenue of the Literature Fund as they may think proper to appropriate to the purposes of the law last quoted; and as this is the first instance, in which the contributions of the State to this great object have been accompanied with such a delegation of authority as is necessary to ensure its execution, it appears to the committee that a most important and delicate duty is devolved on them. The first step towards the execution of the plan adopted by the Legislature, for the education of common school teachers, is now to be taken. We are to

lay the foundations of a system, which may become an essential part of our plan of common school instruction, and which, if properly organized, may be the means of remedying existing deficiencies, and elevating the standard of education to a grade in some degree commensurate with the high responsibilities which the constitution of this State has cast upon its citizens as incidents of the condition of citizenship. If we are successful, the foundations, which will now be laid, may hereafter be made to sustain a system adequate to the wants of all the common schools in the State. The point, therefore, which of all others the committee deem it indispensable to secure, is efficiency in the departments to be created. The funds at the disposal of the Regents being limited in amount, the aim of the committee has been, to devise such measures as, on a limited scale, would be most efficient. The sum in the treasury applicable to the object expressed in the resolution, is ten thousand and forty dollars and seventy-six cents; and the annual excess of the revenue of the Literature Fund, after distributing twelve thousand dollars to the academies, as required by the act of the 22d April, 1834, will amount to about three thousand five hundred dollars. The sum first mentioned is now applicable to the establishment of departments of instruction for common school teachers in the existing academies; but it is obviously too small to admit of a general distribution among them; and if it were adequate to the establishment of a department in each, the annual surplus of revenue applicable to the support of those departments would be too small, when divided among so great a number, to be of any practical utility. It has appeared indispensable to the committee, therefore, that the academies selected for the purpose should be limited in number. If departments can be established, in which even a small number of teachers can be well prepared for the business of instruction, the good effects which would result from the improvements they would introduce into the common schools, would be likely to become so manifest as to lead to more enlarged provisions for the purpose of extending the benefits of the system. The committee, therefore, as they have already observed, deem it of the utmost importance that the departments to be organized should be put on such a footing as to ensure efficiency to the extent of the means at the disposal of the Regents: that the end proposed should be to prepare a limited number of well educated teachers, rather than a large number with inferior qualifications. This end must necessarily be attained by selecting for the purpose a limited number of academies. At the same time the public convenience would demand that the number should not be too limited, but that one should be within the reach of every county in the State; although it is manifest that the efficiency of the departments will be in the ratio of the sum expended on their organization, and the amount annually contributed to their support. The least number, which could, perhaps, be selected consistently with the general convenience, would be eight, or one in each Senate district; and the committee are of the opinion that eight might be maintained without putting at hazard the great object of rendering them equal to the preparation of well instructed and competent teachers.

The committee are aware that the establishment of these departments on the most favorable footing will not remove every difficulty; that there are others inherent in our system of common school instruction, which may not be so easily obviated. The inhabitants of school districts have, through the trustees, who are elected by their suffrages, the selection of their teacher and the regulation of his wages: and if the State were to prepare a sufficient number of teachers to supply all the districts, there would be no absolute certainty that they would find employment. There would be no probability that they would find, after devoting the best part of their lives to the business of teaching, a provision for them in their old age.

With regard to the first difficulty referred to, it may be safely calculated that the people will, when the good effects of improved modes of teaching are brought directly under their observation, make more liberal contributions to the support of competent teachers.

With regard to the second, there is good reason to doubt, so far as the public is concerned, whether in the end a provision of law, which holds out to any class of men the assurance that they will, at all events, be employed or supported for life, would be salutary in its effects. The greatest stimulus to improvement is, unquestionably, the necessity of arduous and unceasing exertion. Places of trust, in which the incumbents are permanent, are not, as a general rule, those which are best administered. The efforts of the incumbents are most likely to be fresh and vigorous, when they are in danger of being displaced by other individuals of superior qualifications, and when the tenure of office is made to depend on the ability with which its duties are discharged. If, therefore, the compensation of teachers were equal to that of other employments, the public end would probably be as well answered as by securing to them an unfailing provision for life.

It would be extremely difficult, even if it were desirable, under our institutions, to make the system of public instruction compulsory by subjecting it wholly to the regulation of the government: and it must be admitted that this is the feature of the Prussian system, from which it derives its principal efficiency. The occupation of teachers must, therefore, necessarily be with us somewhat less certain: and it will require stronger persuasives to induce individuals of competent abilities to enter into and pursue it as a permanent vocation. This is an inconvenience, for which there is not, perhaps, a perfect remedy, although it is conceived, that it may be, in a great degree, obviated by the adoption of measures, which will secure to them a better compensation for their services.

Much may undoubtedly be done by providing for the education of a certain number of individuals, and by sending them abroad among the common schools to raise, by the exhibition of the improved methods, which they have gained, the standard of education to the level of their own superiority over the great mass of common school teachers. In this manner the inhabitants of school districts may, and doubtless will, in most cases, be led to make

more enlarged and permanent provision for those to whom the instruction of their children is entrusted; and to the adequacy of these provisions the standard of education will acquire and maintain a uniform and certain relation.

The committee, then, would recommend that one academy in each Senate district be selected for the purpose in view, and that the selection be made from those, which, from their endowments and literary character, are most capable of accomplishing it. The object to be attained is public, and the interest of one academy or another can not properly be taken into consideration, with a view to influence the choice which may be made from among them.

Should this recommendation be adopted by the Regents, it will remain only to consider:

1st. On what principle the funds applicable to the establishment or organization of the departments shall be apportioned to the academies, which may be selected for the purpose;

2d. On what principle and to what extent the annual excess of the revenue of the Literature Fund applicable to the support of the departments, shall be apportioned to the academies in which they may be established;

3d. What shall be the organization of the departments.

I. As to the course (or subjects) of study,

II. As to the duration of the course,

III. As to the necessary books and apparatus; and

4th. What evidence of qualification to teach shall be given to the individuals, who may be trained in the departments.

These subjects will now be considered in the order in which they are stated.

1st. On what principle the funds applicable to the establishment or organization of the departments shall be apportioned to the academies, which may be selected for the purpose.

As a general remark it may be observed in this case, as it has been already said in relation to the selection of the academies, that the object in view is public, and that the only legitimate consideration is, in what manner it can best be attained. Under this view of the subject, no embarrassment can arise as to the question of allowing the academies which may be selected, to participate, in ratio of their respective wants, in the funds to be applied. The departments should all be placed in their organization on the same footing: they should have the same apparatus, and be provided, in all respects, with equal facilities for commencing the contemplated course of instruction. It may, and doubtless will, happen that some of the academies will be found in better condition than others for commencing such a course, and to render the departments equally efficient, it may be necessary to apportion the funds applicable to their establishment in unequal sums among the academies selected. It will, therefore, be advisable, after fixing upon the apparatus, maps, &c. which may be required, to ascertain how far the academies are provided with them, and to distribute the funds with reference to the deficiencies which may be found to exist.

The funds now in the treasury applicable to the object, amount to \$10,040.76; but of this sum the committee are of the opinion that not more than \$4,000 should be applied to the establishment of the departments. The sum of \$500 for each, will, it is believed, be adequate to the object in most cases; and as some of the academies may not require so large an amount, a surplus may remain and be applied to deficiencies in others, or carried to the fund applicable to the annual support of the departments.

If the sum of \$4,000 only be appropriated to the establishment of the departments, a surplus of about \$6,000 will be left for future uses; and for reasons, which will be hereafter explained, it may be important to keep on hand an annual surplus to meet any deficiency in the revenue of the Literature Fund in succeeding years.

2d. On what principle, and to what extent the annual excess of the revenue of the Literature Fund applicable to the support of the departments shall be apportioned to the academies, in which they may be established.

If the departments are to be maintained at all, it is necessary that there should be apportioned annually to each of the academies, in which they shall be established, in addition to the amount to which these academies will be entitled under the general annual apportionment, a sum as nearly adequate as possible to the support of a competent instructor. The largest sum which can be regularly apportioned to each, is four hundred dollars; and it is conceived that each of the academies referred to, should receive that sum annually, without reference to the number of pupils in training.

With such a permanent provision the object of the academies will be to render the departments efficient, rather than to secure the greatest possible number of pupils. The rule suggested ought not to be carried to an extreme; and if, in the course of time, any academy should be found, without good cause, to have failed in promoting the object in view to a reasonable extent, another should be selected and substituted for it, so that the public munificence may not be expended in vain. If, after appropriating to each of the academies the sum above mentioned, a further sum could in any year be safely apportioned to them; the most equitable rule would seem to be, to distribute it in proportion to the whole number of pupils in training for common school teachers, and to the aggregate length of time in such year, during which they shall have been so trained according to the prescribed plan. It is on a similar principle that the greater part of the revenue of the Literature Fund is now distributed under the general law; and, after securing a proper degree of efficiency in the departments to be created, there can be no reason to apprehend inconvenience from stimulating the efforts of those who have the direction of the academies, to augment the number of their pupils and thus to extend, as widely as possible, the benefits of the system.

The proposed sum to be apportioned annually as above suggested for the support of instructors in the eight departments, is three

thousand two hundred dollars; and this is about as much as can be regularly applied to the object. The capital of the Literature Fund amounts to \$282,573.10; and the annual income will not fall short of \$15,500. Of the last mentioned sum \$12,000 must be apportioned to all the academies subject to the visitation of the Regents pursuant to the act of 22d April, 1834, to be expended under the direction of the trustees, towards paying the salaries of tutors.

Only \$3,500 will, therefore, remain to be applied annually to the support of the departments for the instruction of common school teachers.

It is true that there will be on hand, after applying \$4,000 to the organization of those departments, about \$6,000 applicable to their support. But it is to be considered that a large portion of the capital of the Literature Fund, consists of bonds and mortgages, on which the interest is not always regularly paid, and it is desirable to keep in the treasury a surplus of a few thousand dollars, to meet in future years any deficiency, which may grow out of such irregular payment of interest: for it is of the greatest importance that the academies, in which the departments are established, should never be disappointed in the anticipated annual contribution to the support of the instructors of those departments. By the arrangement suggested, the contribution will be rendered certain: and should it be deemed safe at any future time to distribute a portion of the surplus on hand, after paying out three thousand two hundred dollars for the support of instructors, such distribution might be made on the principle before suggested, and the amount so distributed applied to the purchase of books, or to such other objects as the Regents might designate.

It is also to be observed that under the act of 22d April, 1834, applications may be made from other academies for a portion of the excess of the revenue of the fund, for the purchase of philosophical and chemical apparatus, &c.—and, although the Regents have by that act a discretion as to making any application of such excess to the object referred to, it may be desirable in some cases to have funds at command for the purpose. For this reason also, it is important that the whole surplus on hand should not be expended.

3d. What shall be the organization of the departments.

L. As to the course (or subjects) of study.

In determining the course of study, the committee have thought it proper to designate as subjects to be taught, all which they deem indispensable to be known by a first rate teacher of a common school.

In fixing a standard of requirement in any pursuit, it is always desirable to raise it as high as possible; for the qualifications of those who follow it, will incline to range below and not above the prescribed standard. In this case, as the principal object is to influence public opinion by exhibiting the advantages of that practical skill, which may be gained by proper training, care should be

taken that those who are relied on to exert the influence referred to, should be made fully adequate to the task.

In select schools in our cities and large towns, qualifications of a still higher grade than those in contemplation for common school teachers, may be required; but as it is not intended with regard to the latter to dispense with any essential branch, so it is not intended to exact any thing, which is not indispensable. If the subjects, which they will now proceed to state in their proper order, be taught in such a manner and to such an extent as to be thoroughly understood by the pupils, the committee feel confident that the course will be found equal to the object to be obtained.

It is proper to premise, however, that no individual should be admitted to the teachers department until he shall have passed such an examination as is required by the following extract from the ordinance of the Regents of the University to entitle students to be considered scholars in the higher branches of English education.

"No students, in any such academy, shall be considered scholars in the higher branches of English education, within the meaning of this ordinance, until they shall, on examination duly made, be found to have attained to such proficiency in the arts of reading and writing, and to have acquired such knowledge of the elementary rules or operations of arithmetic, commonly called notation, addition, subtraction, multiplication and division, as well in their compound as in their simple forms; and as well in vulgar and decimal fractions as in whole numbers, together with such knowledge of the parts of arithmetic, commonly called reduction, practice, the single rule of three direct, and simple interest, as is usually acquired in the medium or average grade of common schools in this State; and until they shall also, on such examination, be found to have studied so much of English grammar as to be able to parse correctly any common prose sentence in the English language, and to render into good English the common examples of bad grammar given in Murray's or some other like grammatical exercises; and shall also have studied, in the ordinary way, some book or treatise in geography, equal in extent to the duodecimo edition of Morse's, Cummings', Woodbridge's or Willet's geography, as now in ordinary use."

Subjects of study—

1. The English Language.
2. Writing and Drawing.
3. Arithmetic, Mental and Written; and Book-keeping.
4. Geography and General History, combined.
5. The History of the United States.
6. Geometry, Trigonometry, Mensuration and Surveying.
7. Natural Philosophy and the Elements of Astronomy.
8. Chemistry and Mineralogy.
9. The Constitution of the United States and the Constitution of the State of New-York.
10. Select parts of the Revised Statutes and the duties of Public Officers.

11. Moral and Intellectual Philosophy.

12. The Principles of Teaching.

These subjects are not intended to exclude others, should the academies think proper to introduce them. The Regents should, however, insist that the foregoing be thoroughly studied, and that they be not allowed to give way, in any degree, to others; nor should any others be required in order to entitle the pupils to the prescribed evidence of qualification.

The committee will now proceed to state some of the most important suggestions, which occur to them in relation to the several subjects of study enumerated; not for the purpose of pointing out in every case the whole extent, to which the course is expected to be carried, but to designate certain particulars, which they deem most worthy of attention.

The English Language.—This branch constitutes the most extensive, and perhaps the most important, field of instruction for a teacher. Unless the pupil is thoroughly master of his own language, he cannot be a competent instructor. The utmost pains should therefore be taken to give him an accurate knowledge of it; and the proper process of instruction is that, which it will be his business to employ in giving instruction to others.

He should be made familiar with the best methods of teaching the alphabet and the steps, by which the children can be conducted with the greatest facility, through the first lessons, which they receive. Rules for spelling should also be learned, and their application shown, particularly in the orthography of compound and derivative words, the plurals of nouns, the inflexions of verbs and the comparison of adjectives; and in these exercises black boards or slates should be used so that the eye, as well as the ear, may be made instrumental to the correction of errors.

In reading, the lessons should embrace a just enunciation of sounds as well as words, and a careful regard to distinctness of pronunciation, as well as a proper fulness and modulation of the voice. A clear and correct enunciation is of the highest importance to a teacher, whose defects are almost certain to be communicated to his pupils; and it is, therefore, indispensable that reading with criticisms in orthoepy, accent, emphasis, cadence, and punctuation should constitute a part of the exercises in this branch of study.

The pupil should not only be practised in reading the English language with accuracy and distinctness, but he should be taught to write it correctly. He should be made thoroughly acquainted with its structure, and its idiomatic peculiarities. In addition to the ordinary routine of parsing, the principles of universal grammar should be critically discussed, the structure and philosophy of language should be made the subject of a minute investigation, the offices, which are performed by the different words of a sentence, and the rules by which their relations to each other are governed, should be explained until the whole subject is thoroughly understood.

Original composition, and declamation from the writings of chaste authors, are also an essential part of the course; the first

for the purpose of facilitating a correct understanding of the laws of language, and the acquisition of a correct style, and the second for the purpose of cultivating a distinct articulation as well as a refined taste. In both, the utmost care should be taken to select subjects on a level with the capacity of the pupil, so that his interest may be kept alive and the mind not tasked beyond its powers; and he should be perpetually cautioned against the error of an affected or artificial manner. Nature is always simple, and for that reason always effective.

In the Kinderhook Academy, in which a department for the education of teachers has been recently introduced, a complete course of instruction in the English language has been adopted, embracing the following details:

1. Orthography. Sounds of Letters. Rules for spelling. Spelling. Words of doubtful or various orthography.
2. Pronunciation.
3. Etymology. Prefixes. Terminations. Derivation and definitions. Synonymes. Inflexions.
4. Syntax.
5. Prosody, in all its parts.
6. Punctuation. Use of Capitals. Abbreviations.
7. Reading.
8. Composition. Weekly exercises—topics selected with reference to the business of teaching.
9. Extemporaneous Speaking—subjects connected with the business of teaching.
10. Rhetoric. So much of Blair's Rhetoric (Mills' edition,) as treats of language.
11. History of the Language, as contained in Johnson's and Walker's prefaces to their large dictionaries.

Although the committee have not, in the course of study, designated Rhetoric as a distinct branch, they consider it advisable that all the academies, in which departments are established, should introduce so much as is contained in the above synopsis of the course in the Kinderhook Academy.

Writing and Drawing.—Every pupil must be able, before he leaves the institution, to write a good hand. For this purpose he should be made to practise from the beginning of the course, under the personal direction of the tutors, with the best writing materials, and with proper attention to the positions of the body, arm and hand.

For beginners slates may be used with great advantage, as suggested in Taylor's District School.

Much may be gained by reducing to writing parts of the prescribed course, if done with attention to the manner, in which it is executed: but in all these exercises the tutors should take care to check any appearance of negligence or haste. By a careful attention from the outset to the correct formation of the letters, and to those circumstances, which must concur to enable one to write with freedom, a good style of writing may be acquired without the least difficulty; but it will be almost a hopeless attempt if bad

habits are contracted before the hand writing is completely formed.

Drawing is only expected to be taught so far as it may be necessary for the purpose of mapping. In learning geography, the pupils should be required to delineate on the black-board the outlines of the general divisions of the earth, the different countries, oceans, rivers, &c., and they should afterwards be practised in similar delineations, executed with care, on paper. In geometry, trigonometry, mensuration and surveying, linear drawing will be indispensable, and the tutors should study to convert these exercises to the best use.

Arithmetic.—In this branch the pupil must be thoroughly instructed in the four ground rules of arithmetic, as well in their compound as in their simple forms, and as well in vulgar and in decimal fractions, as in whole numbers, the single rule of three, together with reduction, practice, interest, fellowship, barter, &c., so that the course shall be at least equal in extent to that contained in Daboll's Arithmetic. In all the operations performed by the pupils, black-boards should be used for demonstrations and illustrations, and every lesson should be explained until the pupil comprehends it thoroughly. In nothing is the dependence of one step on another so complete as in the science of numbers: and if the pupil leaves behind him any thing, which he does not distinctly understand, his progress must always be difficult, and the result of his calculations uncertain. In facilitating a clear perception of abstract numbers and quantities, visible illustrations should be liberally employed. Mental arithmetic may also be advantageously resorted to, and, indeed, may be deemed indispensable, as a discipline to the mind. To all these exercises a practical direction, should as far as possible, be given by selecting as subjects for practice those familiar operations of business, with which the pupils must be conversant in after life. Thus the mind may be strengthened by the same process, which is storing it with useful information.

A knowledge of arithmetic enters into so many of the common operations of life, that it is not only an essential part of the most ordinary education, but it should be so thorough that an application of the rules of the science may be made with ease and certainty. As a mental discipline also the study is of great value; and it should be so conducted as to secure all the benefits, which it is capable of producing. The aim should be to make it an exercise of the reasoning faculty, and not, as it has usually been, a mere exertion of memory. A facility in performing the operations of arithmetic may be acquired without a distinct understanding of its principles; but to render sure and easy an advance into the branches of mathematics, for which it is a necessary preparation, a clear and familiar knowledge of principles is indispensable.

Book-keeping.—A simple course of book-keeping should be taught in every common school, and it is, therefore, an essential part of the course of instruction for a teacher.

The method pursued in the St. Lawrence Academy is, perhaps, as concise and as likely to be successful as any that could be de-

vised. The system contained in the first part of Preston's Book-keeping is taken as a guide. "The pupil is first taught to rule his book, and is then required to carry his slate to the recitation room ruled in the same manner. For several of the first lessons, examples of accounts are taken where the articles delivered are charged directly in the individual's account. The teacher then reads the several charges, which the scholar copies on his slate: and the scholar is required, as an exercise in writing, to transfer the account to his book. The teacher then proceeds with the charges in the short specimen of day-book entries, giving as many at one lesson, as the scholar will be able to transfer with care, in the allotted time, to his day-book. When the several charges are copied into the scholar's day-book, he is required to post his book."

In this manner a sufficient knowledge of book-keeping for ordinary purposes may be readily acquired, and the student may improve as much in penmanship as though he had passed his whole time in writing after a copy.

Geography and General History.—Geography, to be profitably studied, must be continually explained by maps and the globe. Neither the artificial nor the natural divisions of the earth, nor the proportions, which its several parts bear to each other and to its whole surface, can be readily comprehended without having recourse to visible demonstrations. To young pupils there is a difficulty, even with the aid of maps and globes, in communicating a distinct conception of the positive or relative magnitude of different countries, or the remoteness of different places from each other. Much depends on minute and patient explanation, especially in that part of geography, which treats of the physical divisions of the earth, including continents, peninsulas, islands, oceans, lakes, rivers, mountains, &c.

Physical geography, or that part of the description of the earth, which treats of its natural features, is of great interest and importance; the more so, as with it are necessarily interwoven matters, which in strictness belong to the department of astronomy. The figure and motions of the earth; the causes of the variation in the length of the days; the seasons; the principles upon which the tropics, and polar circles are drawn at their respective distances from the equator; the general features of the earth's surface, embracing a knowledge of the influence of elevation above the sea upon temperature, climate, productions, &c.; a description of volcanoes and earthquakes; the various theories relative to the causes of eruptions and shocks; the atmosphere, winds and their agency in the distribution of heat and moisture, embracing the subject of rain, fogs, dew, hail, &c.; the theories relative to tides; a description of the most remarkable currents in the ocean; and all those natural causes, by which the condition of the various parts of the earth are influenced, should be briefly but clearly and carefully explained.

In this branch will also be included a general knowledge, of the geological structure of particular regions and their most remarkable productions, animal, mineral and vegetable. In the St. Law-

rence Academy the whole subject of physical geography is systematically and critically discussed, commencing with the "history of the science and the adaptation of the objects it embraces to awaken interest by their endless diversity," and running through the details of the science in a complete course of seventeen lectures.

With a description of the different countries of the earth, some account of their inhabitants, forms of government and religion, and their general statistics must also be united. Nor will this suffice to render the view complete. We must not be content to see the earth and its possessors as they are. We must look also at what they have been, through the lights of history. A general idea of the progress of each country from infancy to age, from weakness to power, or from dominion to servitude, should be acquired; their most distinguished men and some of the most remarkable events, which have accompanied their growth and decay, should be pointed out, and a cursory survey of the whole earth, in its relations both of time and space, should be taken by the pupil. The undertaking may seem arduous, but it may be executed, under judicious direction, with much less time than would be supposed necessary to accomplish it. The course of history should be equal to that contained in Tytler's Elements of General History, ancient and modern.

The course in geography should not be less in extent than that contained in Woodbridge and Willard, the volume in general use in the common schools. The course should be accompanied with copious illustrations by lectures, and by reference to larger works, so that the pupils may be made familiar with the sources, from which they may be able to enrich the instruction they may themselves give when they become instructors.

History of the United States.—The history of the United States is so essential, that it may justly be treated as a distinct branch of study. In this, a mere outline is not sufficient. The pupil should understand, in all its details, the history of his own country. He should begin with its discovery and first settlement, and trace it through the various stages of its colonial dependence to its emancipation from the control of the mother country. In the character of the men, who stood foremost in the contest for independence, the measures of provocation, by which they were roused to resistance, the trials through which they passed, the reverses which they sustained, the triumphs which they achieved, and the great political principles which were vindicated by them, there are lessons of instruction not inferior in value, to any which can be drawn from the history of any other age or people; and if the mind of every youth can be made familiar with them, and his feelings imbued with the moral which they contain, no better security can be provided against the degeneracy of that unconquerable spirit, in which the foundations of our freedom were laid.

Geometry, Trigonometry, Mensuration and Surveying.—The committee regret that they cannot refer to any single work, which contains such a course on all these subjects as they deem necessa-

ry. The works on each separate subject are in general too extensive for the purpose in view. The course should be altogether practical in its character, and should be divested of every thing superfluous. The principles of geometry and trigonometry should be so thoroughly understood, that their application may be made with facility. The pupils should be able to measure solids as well as surfaces with ease; and they should be made so well acquainted with the rules of surveying, and the instruments used for the purpose, as to be able to ascertain heights and distances, and determine the contents of a given piece of land, with readiness and precision.

As the committee are unable to refer to any modern work precisely adapted to the course required on all these subjects, they propose to leave the extent of the course at present, to the academies, with the single remark, that each pupil should have such an acquaintance with each of the specified subjects, as is necessary for every practical purpose.

Natural Philosophy and the Elements of Astronomy.—The course in natural philosophy will embrace a clear understanding of the several properties of bodies, gravitation, the laws of motion, simple and compound, the mechanical powers, the mechanical properties of fluids, the mechanical properties of air, the transmission of sound, and optics. Each academy should be furnished with a complete philosophical apparatus, and all the subjects should be taught with full illustrations. A practical direction should, as far as possible, be given to the science, by teaching the proper application of its laws to useful purposes. It is from this course that those, who intend to devote themselves to mechanical pursuits, may reap the greatest benefits; and it is of the utmost importance to introduce it into the common schools. The first step towards the accomplishment of this object, is to prepare instructors competent to teach it; and it is for this reason that it should constitute a particular object of attention.

In connection with natural philosophy there should be a brief course of instruction in the principles of astronomy. The nature and causes of the earth's motions, the planets and their motions, their size and positions in relation to the earth and the sun, their satellites, the causes of eclipses, the variations of the seasons, the length of the days, the causes of heat in summer, &c., should all be made familiar to the pupils. Each academy should be furnished with an orrery, a moveable planisphere, a tide dial, and a set of globes: and nothing which is capable of being illustrated by apparatus should be taught without illustration.

The same apparatus may be employed for the illustration of subjects connected with physical geography, between which and that part of astronomy which treats of the earth's motions and the effects consequent upon them, there is a very close connection. In pointing out some of the subjects, which belong to the department of physical geography, some of the foregoing have been already enumerated, as the motions of the earth, the seasons, tides, &c. It is indeed, not always easy, nor is it always necessary, to assign

to each science its exact boundaries: so far as instruction is concerned, the separation of one from another is of no practical importance, so that all the subjects are clearly understood.

Chemistry and Mineralogy.—The course in mineralogy and chemistry is not expected to be carried far. It is intended that each academy shall have a small cabinet of minerals; and the pupils should be able to distinguish the different specimens, which should be well characterized, and to understand clearly their composition and distinctive properties. Chemistry should be taught in such a manner as to elucidate these distinctions in the mineral kingdom, and to give a correct knowledge of the properties of the various bodies and substances, which are in most common use; and its application to agriculture and the useful arts, should be made a prominent subject of instruction. Mineralogy is usually a preliminary of the science of geology; but it is not expected that the latter will constitute a subject of study, excepting so far as it is connected with physical geography, which will necessarily embrace some account of the structure of the earth, with a description of the principal classes of rocks and the mineral and metallic substances with which they are found united. One of the most salutary effects of combining with elementary education some knowledge of the foregoing subjects, is to guard against the impositions so frequently practised upon the ignorance of the uninformed in the discovery of some unknown, and often worthless, substance, to which an imaginary value is assigned. It is exceedingly desirable to spread correct notions concerning lime-stone, gypsum, and coal, and the ores of iron, lead, copper, &c. The modes of verifying their composition should be made familiar; and it should be understood in what proportions quantity should be combined with quality in order to reward labor.

Those experiments in chemistry, which are merely calculated to produce brilliant effects without subserving a useful purpose should be laid aside, and others of a more practical value substituted for them. The course will necessarily be limited, and it should possess in utility what it lacks in extent.

In the foregoing branches there may, and doubtless will be felt the want of proper class books, those in general use not being so directly adapted as is desirable to teach the application of the sciences to practical purposes. The committee trust that the organization of the departments may lead to the preparation of suitable books on all the subjects, in respect to which they may be wanting: and, indeed, they are encouraged to believe that a work on chemistry will appear at no distant time, the whole aim of which will be to show the application of the science to the useful arts. Until these deficiencies shall be supplied, the Regents must trust to the academies to extract from the existing works all which they may deem best suited to the objects of the prescribed course. Nothing, perhaps, can be better calculated to accomplish these objects than the preparation of lectures on the different subjects of study, taking care to illustrate every thing, which is taught, by

demonstrations and experiments. So far as instruction is carried, it should be thorough and clearly understood.

The Constitution of the United States and the Constitution of the State of New-York.—Every citizen, in order to exercise discreetly and intelligently the right of suffrage, upon which questions of constitutional power are frequently dependent, must understand the provisions of the constitution of the United States and the constitution of his own State; and there cannot perhaps, be a better mode of attaining the object than to require each pupil to make a brief analysis of both. With regard to the constitution of the United States, he should be required to specify the qualifications and disabilities of the members of the Senate and House of Representatives, the rights and privileges of each house, the powers of Congress, the powers prohibited and reserved to the States, the limitations of the legislative, judicial and executive authorities, and the manner, in which the various officers of the government are respectively chosen or appointed. In short, all the provisions of the original instrument and of the successive amendments, which have, by virtue of the proper ratifications by the States, become a part of it, should be thoroughly understood by the pupil. In like manner, he should know the qualifications of the various officers of government in his own State; the several divisions of authority provided by the constitution; the organization of the legislative, judicial and executive departments; the powers respectfully allotted to them; the rights of the citizens; and for the purpose of impressing strongly on the mind these fundamental principles and provisions of law, which every citizen owes it to the public and himself to understand, the pupil should be required to make an analysis of the constitution of New-York, which should be carefully examined by the instructor. In pointing out the principal and most important provisions of both instruments, so far as they confer power, or restrain its exercise, the reasons on which the grant in the one case or the prohibition in the other is founded, should be clearly explained. Questions of disputed right growing out of the provisions of either instrument, had better be passed by; but, if they are made a subject of comment, the arguments on both sides should be fairly stated. Schools for popular instruction depart from the end of their institution, when they are made subservient to the propagation of particular tenets on any subject, which is open to a diversity of opinion. In every matter, which enters of necessity into the proposed plan, it should be the aim of the instructor to furnish his pupils with all the materials for forming unprejudiced opinions, but to leave their minds free from all bias.

Select parts of the Revised Statutes, and duties of public officers.—A compendious work on the duties of public officers was published a few years since at Utica, and it embraces all that the committee deem requisite under this head. It is hardly necessary to add, that under a form of government which throws open to all its citizens the avenues to political power, it is important that all should have, in early life, a general knowledge of the duties which they may be called on to discharge, or over the faithful perform-

ance of which, by others, it will be their province, in common with their fellow citizens, to exercise a constant supervision.

Appended to the work referred to, there is a short treatise on the domestic relations, which may properly be considered as an exposition of the eighth chapter of the second part of the Revised Statutes, and is all that is necessary on this particular subject. There is also an article on wills, and another on executors and administrators. It is to be regretted, that a work containing the most important principles of civil and criminal jurisprudence, cannot now be referred to, as proper to be used for the proposed course. Until such a one shall be prepared, the principals of the academies should be charged with the duty of extracting from the Revised Statutes, such portions as will show the particulars necessary to give validity to conveyances, the time limited for commencing suits, the rules relative to fraudulent conveyances and contracts as to goods, chattels and things in action, and the offences to which penalties are annexed, as contained in Chapter 3d of the 2d part; Title 2d, Chap. 7, of the 2d part; Chap. 4th of the 3d part, and Chap. 1st of the 4th part. The aim should be, to extract only such portions of these chapters as contain some essential fact or principle, without which, the responsibilities or the rights of the parties interested in the subject matter, would not be clearly apprehended.

Moral and Intellectual Philosophy.—The laws which should govern all men, both with respect to the investigation of truth, and to the discharge of the duties resulting from the relations which they bear to each other, and to the author of their existence, should be familiar to every teacher, particularly as his own moral character is subject to a periodical examination by the inspectors. A knowledge of these laws is indispensable to those, whose province it will be, to watch over the development of the moral and intellectual faculties, and direct them to their proper objects. The study itself is not only valuable as a discipline to the mind, but as a means of acquiring an influence over the minds of others. Although a facility for distinguishing the shades of character which exist in those with whom we are brought into contact, and thus ascertaining how far, and how readily they are likely to be actuated by particular motives, can only be gained by continued experience; our progress may be aided by attending to the principles which enter into the mental constitution of all mankind.

Dr. Abercrombie's treatise, entitled, "Inquiries concerning the intellectual powers, and the investigation of truth," is well adapted to give a clear and correct conception of that part of the subject; and the five first books of Paley's "Principles of Moral and Political Philosophy," will suffice for the other part of the course. In general, the subject matter of the latter, is more practical, and better calculated to delineate with accuracy "the offices of domestic life," than most of the popular treatises on the same subject; and it has an advantage over them, in giving an explanation of some of the obligations resulting from the rights of property, and from contracts with regard to its transfer and use.

The political part of the work, or the sixth book, should not, for various reasons, be made a part of the course. Of these, it is perhaps, only necessary to assign a single one,—the obvious objection of making the course too extended.

The family library edition of the former, and several school editions of the latter, have each appended to them, a series of questions upon their respective contents, for the examination of students.

The Principles of Teaching.—In this branch, instruction must be thorough and copious. It must not be confined simply to the art of teaching, or the most successful methods of communicating knowledge, but it must embrace also those rules of moral government, which are as necessary for the regulation of the conduct of the teacher as for the formation of the character of those who are committed to his care.

Although this branch of instruction is mentioned last in the order of subjects, it should in fact run through the whole course. All the other branches should be so taught as to be subservient to the great object of creating a facility for communicating instruction to others. In teaching the principles of the art, it would be desirable to make Hall's *Lectures on School-Keeping*, a text-book; and Abbott's *Teacher*, Taylor's *District School*, and the *Annals of Education*, should be used as reading books, for the double purpose of improvement in reading the English language, and for becoming familiar with the most improved modes of instruction and the best rules of school government. From the *Annals* select parts only would be chosen for the purpose.

The pupils in the departments should be practised in all that can devolve on a teacher. It is of the first importance that they should be made, each in turn, to conduct some part of the recitations, to prepare proper questions on the particular subject of study, and to illustrate it by explanations for the purpose of improving their colloquial powers, and thus giving them a facility for explaining whatever they may be required to teach in the future office of instructor. The tutor should then go over the whole ground after them, pointing out their errors or defects, and giving them credit for whatever may appear to merit commendation. In this manner the future teacher will readily acquire a facility for communicating instruction, which is one of the highest elements of his art.

In all these exercises the language of the pupils should be watched and criticised, every want of perspicuity pointed out, and a rigid conformity to the true standards of etymology and pronunciation insisted on. At the same time every thing artificial or affected in tone or manner should be studiously avoided, and the pupils should be taught that elocution is always effective in proportion as it is natural and unconstrained.

It has been customary in the examination of teachers, with a view to determine their qualifications, to ascertain only whether they possess a proper knowledge of the subjects, in which they are expected to give instruction. But although this is in general the only object of inquiry, it is in fact a very erroneous criterion

of their ability to teach. The possession of knowledge does not necessarily carry with it the faculty of communicating knowledge to others. It is for this reason that the best methods of imparting instruction, should be made a subject of instruction to those who are preparing themselves for the business of teaching. They should know how to command the attention of their pupils, to communicate the results of their own researches and experience in the manner best calculated to make a lasting impression on the mind, to lead their pupils into the habit of examining for themselves, instead of being directed at every step of their progress by their instructor, and thus to observe, investigate and classify objects, to combine the fruits of their observation, and draw conclusions from the facts which they have obtained. Under such a system of instruction and exercise, the mind cannot fail to gain strength, and to acquire that salutary confidence in the result of its own operations, which is the best safeguard against the prevalence of error, and against those impositions, which are almost necessarily the fruit of imbibing opinions, without a rigid scrutiny into the nature of the foundations, on which they rest.

In carrying into execution the plan of instruction about to be established, it should not be for a moment forgotten by those, who are charged with this important task, that the object of education is, not merely to amass the greatest possible amount of information, but at the same time to develop and discipline the intellectual and moral faculties. It is in vain that the stores of knowledge are enlarged if the skill to employ them for useful purposes be not also acquired. At every step, the mind should be taught to rely on the exercise of its own powers. The pupils should be required to assign reasons for every position assumed in their various studies, not barely with a view to give them a thorough comprehension of the subject, but for the purpose also of cultivating that habit of critical investigation, which is unsatisfied until every part of the subject of inquiry is understood. The result of common school education in most cases is to burden the memory with facts and rules, of which the proper practical application is but imperfectly comprehended. This defect is at war with the spirit of the age, which is to probe to its inmost depths every subject of knowledge, and to convert the results of our inquiries to useful purposes. Practical usefulness is the great end of intellectual discipline; it should be kept steadily in view by the teacher, and he will soon learn that his lesson, when its reason and its object are presented to the mind of his pupil, will arouse an interest, which, in the absence of this full understanding of the subject, he would have labored in vain to excite.

In the present condition of our common schools much time is lost and labor misapplied by injudicious systems of instruction; they are fields for collecting facts and details rather than for disciplining the faculties. This radical error should be corrected. Pupils should be made to think for themselves instead of treasuring up merely the results of other men's thoughts. The great instrument of reform will be to make demonstration keep pace with knowledge. Nothing should be left unexplained; nor should any

thing be allowed to rest on mere authority, excepting where from the nature of the subject, it admits of no other foundation.

Subjects, which are susceptible of demonstration, must, however, not be studied to the neglect of those which are not. First principles and certain classes of facts are of such a nature, that the mind can only take notice of them as such, without being able to assign the reason of their existence. Separately, they are proper subjects for the attention and memory; but not for the reasoning powers, until they are considered in the relations which they bear to others. They are, however, the very materials on which the mind is to be employed. Nor should it be forgotten that there are mental processes depending wholly on an exercise of memory, which constitute a valuable intellectual discipline. In cultivating the reasoning powers, the memory should also be strengthened by habitual exertion, and stored with useful facts. The mind cannot be brought into complete exercise without a systematic discipline of all its faculties.

To almost every species of instruction the inductive method may be applied to great advantage. Nature herself seems to teach that the observation of facts should precede inductions, and that general principles can only be deduced from particular facts. An intelligent instructor will know how to apply the rule and convert it to the most useful purposes.

In determining the proper organization of the departments, the committee have fully considered the question, whether the studies and recitations should be distinct from the ordinary academic exercises; and although they are disposed to leave this, in some degree, to the discretion of the academies, yet they are decidedly of the opinion that convenience coincides with good policy in requiring that pupils, who are in a course of training for teachers, should be taught in connection with the other students. So far as mental discipline is concerned, both classes of pupils require the same mode of training, and to a certain extent the same studies will be pursued. Whenever the peculiar duties of teachers are the subject of study and examination, separate recitations will become necessary; and although an instructor is proposed to be maintained in each of the departments to be organized, this provision should not be deemed to preclude a division of labor, or to devolve on the individual thus supported, the task of conducting the pupils in a course of preparation for teaching through all the studies required to be pursued. On the contrary it may be both convenient and profitable to assign recitations in different branches to different teachers, according to their peculiar fitness, and thus bring into the most efficient action the united skill of all. In this respect the Regents must rely on the principal of each academy to make such arrangements as to convert the intellectual force under his control and direction to the best possible use in furthering the great object in view.

The committee cannot forbear to add that the instructors in the academies, with which the proposed departments may be connected, should labor to impress on the minds of those, who may be

preparing themselves for the vocation of teaching, a deep sense of the responsibility, which belongs to it. There is, in truth, no other, in which a conscientious and discreet discharge of its appropriate duties can well produce more beneficial or lasting effects. It is from the conduct and precepts of the teacher that the minds committed to his guidance are destined to receive impressions, which may accompany the individuals through life, and give a determining cast to the character. In his demeanor they may read impressive lessons of moderation, forbearance, and self-control; from his rules of government they may learn the value of firmness, justice, and impartiality: or they may find in exhibitions of petulance, unsteadiness of purpose, and unjust distributions of favor, a license for the indulgence of their own prejudices and passions. Nothing is more vital to the successful government of the teacher, and to the execution of his plans of instruction, than a steady self-command. The most certain mode of bringing his own authority into contempt is to show that he is not his own master. The moral atmosphere of the school-room will be pure or impure, according to the conduct and character of him who presides over it. On his example will, in no inconsiderable degree, depend, for good or evil, the destiny of numbers, whose influence will, in turn, be felt by the political society, in the operations of which they are to take an active part. The teacher should be made to feel so sensibly the importance of his position, that it may be continually present to his thoughts, and become the guide and rule of his actions. He should bear perpetually in mind that he is the centre of a little system, which, as time advances, is destined to spread itself out and carry with it, for the benefit or injury of all which it reaches, the moral influences imparted by himself.

It is equally important that teachers should become acquainted with their own capabilities, and inspired with the feeling that they may, by their own industry, raise their qualifications to any standard. The discipline of their own faculties should not terminate with the close of their course of preparation. The intervals of teaching may be filled up by studies, which will not only be a source of constant improvement in their vocation, but which will elevate their own character, enlarge their stock of moral and intellectual power, and render them better qualified for success in any other pursuit in life. In proportion as their ability is increased will be their chances of procuring prominent situations as teachers with adequate compensation. Their qualifications and the successful results of their labors will stand so strongly in contrast with those of ordinary teachers, as to create a competition among districts which are desirous of obtaining their services, and thus secure a competent provision for their support.

It must be confessed that there is much in the present prospects of those, who intend to devote themselves to the business of teaching, which is calculated to produce indifference and to damp exertion. The vocation does not now ensure constant employment, and therefore, is not to be relied on as a certain support; nor does it yield rewards at all adequate to its toils and sacrifices. But it

is not improbable that more liberal views will prevail in relation to the remuneration of teachers; and it is certain that the most effectual method of bringing about such a change is a course of conduct, and an exhibition of skill on their part, which will elevate the character of their vocation, and by making the public more sensible of the value of their services, will secure a proportionate increase of compensation. Teachers should feel that without a deep interest in their occupation they cannot bring into operation the talent requisite to do themselves justice, and to convince the public of the necessity of a higher standard of education. Time may be necessary to produce upon the public mind the requisite impression, but there is no reason to doubt the result. If in the mean time they lose through the narrow views of their employers, something of the indemnity, to which they are entitled for their labors in a most difficult and responsible sphere of action, let them not superadd to this loss a sacrifice of their own reputation by a careless or imperfect discharge of their duties. Let them resolve to gain in character what they may lose in pecuniary profit; and let them be assured that if any thing can succeed in obtaining from the public the justice which they seek, it is a course of generous devotion on their part to the great cause of education. If such a course should fail to win from those on whom they are now dependent, a corresponding return of benefits, it is to be hoped that the time is not far distant when the value of their labors will be better appreciated, and complete justice awarded to them.

II. *As to the duration of the course.* This is necessarily regulated by the number and extent of the subjects of study. In the Prussian seminaries, in which the requirements for teachers of the first grade, are about equal in importance to those which the committee have proposed for the departments in question, the term of study is three years; and they are of the opinion that a shorter period would not be sufficient for a strict compliance with the contemplated course. As has already been observed, the object in view is to prepare teachers of the first grade; and every other consideration should give way to this. It should be recommended to the trustees of the academies, in which the departments may be established, to make the rate of tuition for those who intend in good faith to devote themselves to the business of teaching, as low as possible; and to regulate the terms of instruction in such a manner, that the pupils in the teachers' department, who are sufficiently advanced, may have an opportunity of taking schools during the three winter months. They may, by this means, earn something to enable them to complete their course of instruction, and at the same time improve themselves by making a practical application of the knowledge, which they will have gained during the rest of the year. To accomplish this object it may be necessary to have only two terms per annum of four months each. The pupils must not only be required to comply with the entire course, but they must understand thoroughly every subject of study before they receive a diploma or certificate of qualification. In this respect, the Boards, from whom the evidences of qualification are to issue,

must practice the greatest caution. Their own and the public interest alike demands it. The system cannot become popular, unless it is made equal to its objects. A single individual educated in one of the proposed departments, and going forth to teach with a diploma, but without the requisite moral and intellectual qualifications, would do much to bring the whole system into disrepute. The Regents should, therefore, insist strongly on the fidelity of the academies to withhold the necessary evidence of qualification to teach, from all who are not entirely worthy of it.

The trustees and officers of the academies which may be selected, cannot fail to perceive, that a most favorable opportunity will be presented to them for elevating the character and extending the reputation of their institutions. Whether they succeed in doing so, must depend on the fidelity and zeal with which the prescribed plan of instruction shall be carried into effect. They cannot but perceive also, that if, through the want of proper exertions any one of them should fail to give satisfaction, and thus render it incumbent on the Regents to transfer the department to some other institution, a duty would devolve on the latter as disagreeable to themselves as it would be prejudicial to the character of the academy, in relation to which its performance would be required.

The committee propose that full reports shall be annually made by the academies with regard to the departments. These reports should contain the name of every person receiving a diploma, and the date, on which it was issued, so that a complete register of those, who have passed through the prescribed course of training; will be on file with the secretary of the Board for any necessary purpose of reference. The reports should also show the condition of the departments, as to the number of pupils, the time each has been in training, the books in use, the extent to which each book has been studied, the state of the libraries and apparatus, and, in short, every thing which is contained in the reports now made to the Regents in relation to other students. They should also exhibit every thing which may be calculated to point out defects and suggest improvements, and they should be accompanied with such observations as may have occurred to the officers of the academies in carrying into execution the prescribed plan. The form of the report need not differ materially from that now used, excepting so far as it may be necessary to embrace new items of information. The form accompanied with the necessary instructions, would, they have supposed, be most properly prepared under the direction of the Secretary of the Regents.

III. *As to the necessary Books and Apparatus.*

Books.—Each academy should be furnished with a library well stored with the best authors on the prescribed subjects of study. The committee propose to leave the selection of the books for further consideration. A list can be made out on consultation with the academies, and presented at a future day for the sanction of the Regents. As these books will be wanted for examination and reference, several copies of the same work will be required.

The committee have had under consideration the expediency of designating all the class books which shall be used in the departments to be established, or of leaving them to be selected by the academies: and, although they deem it of great importance to reduce the course of study to the greatest possible precision, they have come to the conclusion, that it is better at present to adopt the latter course. The principal consideration, by which they have been guided, is the belief that the Regents may, by allowing the academies to make the selection in the first instance, and requiring them to state in their annual reports the books, which they have used, and their reasons for preferring one author to others in common use, be furnished with the means of making a selection themselves at a future day, should it become necessary, for the purpose of securing entire uniformity.

At the same time, they would suggest that it will in general be found most advantageous to use for the instruction of teachers the books, from which they will be required to teach in the common schools. Larger and more copious treatises on all the subjects of instruction will, it is true, be necessary for the course of study in the departments: but the principal use of the latter will be for reference, and for the purpose of more full illustrations than are afforded by the smaller works.

Apparatus.—The following list includes all the apparatus and maps, which the committee deem necessary at present, with the prices annexed so far as they can be ascertained:

No. 1, Orrery,	\$20 00
Numeral frame and geometrical solids,	2 50
Globes,	12 00
Moveable planisphere,	1 50
Tide Dial,	3 00
Optical apparatus,	10 00
Box No. 2, Mechanical powers,	12 00
Box No. 3, Hydrostatic apparatus,	10 00
Box No. 4, Pneumatic apparatus,	35 00
Box No. 1, Chemical apparatus,	25 00
100 specimens of mineralogy,	10 00
Electrical machine,	12 00
Instruments to teach surveying,	80 00
Map of the United States,	8 00
Map of the State of New-York,	8 00
Atlas,	5 00
Telescope,	40 00
Quadrant,	15 00
<hr/>	
\$309 00	

The price of the entire apparatus, including maps, for each department will not much exceed three hundred dollars, so that about two hundred dollars will remain to be appropriated to the purchase of books for each.

The apparatus in contemplation of the committee, and under-

stood to be the best of the kind, is prepared by Brown & Pierce, of Boston, and may be procured in the city of New-York.

4th. What evidence of qualification to teach shall be given to the individuals, who may be trained in the departments.

In the Prussian and French seminaries of teachers, different grades of qualification are recognized, and the certificates which the pupils receive on completing their course of preparation, are framed according to their respective ability to teach. If the departments about to be established were to be adequate to supply with teachers the districts throughout the State, such a distinction might be desirable. But as the number of teachers will necessarily be limited; and as one of the most important effects to be anticipated and desired from the establishment of these departments is to influence public opinion, and by an exhibition of improved methods of teaching, to correct prevailing errors with regard to the necessity of providing such a compensation for teachers, as shall be in some degree adequate to the value of their services, all the pupils, who are in training, should be encouraged to complete the prescribed course of preparation. The only distinction proposed to be taken by the committee for those who have gone through the entire course, is between those who are, and those who are not, qualified to teach: and they deem it proper to entrust the decision of this question to the principal and trustees of the academies, in which the departments may be established. It has been suggested that some evidence of qualification from the Regents of the University would carry with it greater weight. There may be and doubtless is some force in the suggestion: but as such evidence of qualification must after all rest upon the representation of the officers of the respective academies, they propose to let it issue from the latter, and purport to be what it must be from the necessity of the case. They have drawn a form for a diploma which is hereunto annexed, marked A, and which from its terms can only be given to those who have completed the course of instruction prescribed by the Regents, and have passed a satisfactory examination in all the subjects of study.

The examination should be public, and be made in the presence of the principal, and a majority of the trustees of the academy.

The diploma will not of course dispense with the necessity of a certificate from the inspectors of common schools of the town, in order to enable the individual to whom it is given, to teach a common school and receive the public money. The existing rule of law in this respect, will not be affected. Every individual engaged in instructing a common school, must once in each year be examined by the inspectors, and receive a new certificate of qualification. There would be a difficulty in dispensing with this rule, as one of the objects of such a periodical examination, is to pass judgment upon the moral character as well as the ability of the individual, who may, by contracting bad habits, become totally unworthy of being entrusted with the education of children. The only advantage, therefore, which the diploma will give, is the assurance, that the individual, who holds it, has been regularly trained for his vocation.

It may often happen that students will not be disposed or able to go through the whole of the prescribed course of instruction for teachers. In this case the principals of the academies should be at liberty to give them a certificate setting forth the particular studies they have pursued, with such opinion of their moral character and their qualifications to teach the branches which they have studied, as they may be considered entitled to. But this certificate should be merely under the signature of the principal and not under the seal of the institution; for the committee deem it of the utmost importance that no evidence of qualification should be given, which can be mistaken for the diploma received by those who have completed the prescribed course. To avoid all misapprehension, the committee have prepared and hereunto annexed a form for such a certificate, marked B.

The committee deem it within the scope of the reference to them to designate for the consideration of the Regents the academies, with which the proposed departments may, in their opinion, be most advantageously connected. They would, therefore, respectfully suggest the following, viz:

1st District,.....	Erasmus Hall,.....	Kings county.
2d do	Montgomery,	Orange county.
3d do	Kinderhook,	Columbia county.
4th do	St. Lawrence,.....	St. Lawrence county.
5th do	Fairfield,	Herkimer county.
6th do	Oxford,	Chenango county.
7th do	Canandaigua,	Ontario county.
8th do	Middlebury,	Genesee county.

In making this selection the committee have been guided in the preferences they have given, by one of two considerations; 1st, that the value of the philosophical and chemical apparatus and library was superior to that of others in the district; or 2d, that, by reason of their endowments or their peculiar situation, the course of education in the academies selected, would be likely to be least expensive to students. The only instances in which they have departed in any degree from this standard, are in the 6th and 7th districts. The Oxford Academy has a small amount invested in apparatus, &c., and the Canandaigua Academy is in a large village, where the expense of board might be supposed to be greater than in places of less importance. But each has already a department for the instruction of teachers in full operation; and the endowments of the latter are so ample that the rate of tuition is extremely low, so much so, as to compensate for a somewhat higher standard of expense in the item of board. Upon full consideration they are of the opinion that neither of these academies could be advantageously exchanged for others in the districts, in which they respectively lie.

Should the funds at the disposal of the Regents be so augmented hereafter as to admit of an additional expenditure for the support of the departments, the committee are of the opinion that great benefit might be derived from a course of lectures, accompanied

with experiments, on Chemistry and Mineralogy, and Natural Philosophy and Astronomy, by an individual, who would make it his whole business to lecture on these subjects. The pupils in each department might be prepared by the study of the proper text-books so as to be ready at a specified time for the lecturer, who would carry his apparatus with him, and who from his familiar knowledge of the subjects could, in a course of lectures of not more than one month in duration in each of the academies, give more practical information than could be gained in the ordinary way, in a much longer period. The services of an individual of competent talents might undoubtedly be secured for \$1,000 per annum. This sum, with what he would be likely to receive from other students not in training for the business of teaching, who might wish to attend the lectures, would cover his expenses and afford him an adequate compensation for the service rendered. The time occupied would not exceed eight months, and the lectures would be given during such portions of the year as to leave the individual employed the entire winter to lecture in other institutions. Thus, for the sum of \$1,000 per annum the students in the eight departments would be carried through the entire course in the subjects, which present the greatest difficulty, from the necessity of being taught by individuals familiar with them and with the use of the apparatus, by which they require to be illustrated.

With this object might be combined another not less important. The individual thus employed by the Regents might be required to examine into the entire condition of the departments, and report to them all the information which may be necessary to enable them to determine whether the prescribed plan is carried into complete and efficient execution.

As the Regents have not now the means of making this addition to the proposed plan, and as it will not be necessary until the departments shall have been organized and put fairly in operation, the committee merely suggest it at this time, as a subject worthy of future consideration.

In concluding their report, the committee beg leave to observe, that in a matter of so much importance, in which the ground to be occupied is yet untried, many considerations may have escaped their notice, which may be disclosed when the proposed plan is put in operation. They do not present it with the confidence that it is perfect, or that experience may not dictate salutary alterations in it, but as the best, which, with the lights before them, they have been able, after full consideration, to devise.

All which is respectfully submitted.

Albany, 8th Jan., 1835.

(A.)

DIPLOMA.

The Regents of the University of the State of New-York, having established in this institution a department for the education of common school teachers,

WE, the President of the Board of Trustees, and the Principal of the _____ Academy, do hereby certify that A. B., of the town of _____ in the county of _____ in the State of _____ has completed the course of instruction, and passed a satisfactory examination in all the subjects of study prescribed by the Regents for the department; that he has sustained, while at the institution, a good moral character, and that he is fully qualified to teach a common school of the first grade. In testimony whereof, we have hereunto affixed our signatures, together with the seal of the institution, at _____ in the county of _____ of _____ this _____ day of _____ 18 .

A. B. *President,*
C. D. *Principal.*

(B.)

Certificate to be given to students, who have not completed the prescribed course of instruction for teachers.

_____ day of _____ 1883

I, the Principal of the _____ Academy, do hereby certify that A. B., of the town of _____ in the county of _____ and the State of _____ has attended a course of instruction at this institution in the art of teaching; that he has sustained a good moral character; and, although he has not completed the course of study prescribed by the Regents of the University for common school teachers, he has studied, and is competent to give instruction in the following subjects, viz:

A. B., *Principal.*

P. S. If the individual is not well qualified to give instruction in all the subjects of study, those which he is competent to teach, should be specified.

At a meeting of the Regents of the University, held pursuant to adjournment, on the 20th day of January, 1835.

PRESENT,

**STEPHEN VAN RENSSELAER, Chancellor,
THE GOVERNOR,
THE LIEUT. GOVERNOR,**

**Mr. YOUNG,
Mr. DIX,
Mr. KING,
Mr. CORNING,
Mr. WENDELL,**

**Mr. SUDAM,
Mr. McKOWN,
Mr. WETMORE,
Mr. PAIGE.**

The Regents having resumed the consideration of the report, presented at their last meeting by Mr. Dix, relative to the education of common school teachers; and after some time spent thereon, the report having been accepted, it was thereupon resolved,

That the Board do concur with the committee in the general views and considerations presented by them in their report: That the Regents, duly appreciating the great magnitude and value of the object, contemplated by the Legislature, in appropriating part of the income of the Literature Fund for the education of common school teachers, will, so far as the limited means under their control will enable them, co-operate in promoting so great and valuable an object. That considering the plan, presented by the committee in their report, proposing the establishment of a department for the education of teachers of common schools, in some one academy in each Senate district of the State, as the best and most feasible that, under existing circumstances, can be devised, this Board do therefore adopt said plan, and will cause the same to be carried into execution with all convenient speed; and to that end, the Regents, moved by the considerations aforesaid, do

Ordain and Declare,

1st. That in some one of the academies, subject to the visitation of the Regents of the University, in each of the eight Senate districts in this State, a department for the education of teachers of common schools be established, on the foundation, and in the manner particularly defined and set forth in the report of the committee above referred to; and that for the establishment, or first organization of said departments, there be appropriated out of the moneys belonging to the Literature Fund, now in the treasury of the State, the sum of \$4,000; and out of the annual income of said fund, the sum of \$3,200 for the annual support of said departments, to be paid on the conditions hereinafter particularly set forth, and to be expended for the purposes, and in the manner, proposed by the said committee in their said report.

2d. That until otherwise directed by the Regents, the departments contemplated by the foregoing section of this ordinance, shall be established in the following named academies, viz:

For the 1st District,	Erasmus Hall Academy,	Kings county.
do 2d do	Montgomery do	Orange county.
do 3d do	Kinderhook do	Columbia county.
do 4th do	St. Lawrence do	St. Lawrence co.
do 5th do	Fairfield do	Herkimer county.
do 6th do	Oxford do	Chenango county.
do 7th do	Canandaigua do	Ontario county.
do 8th do	Middlebury do	Genesee county.

Provided that the trustees of said academies shall, on receiving official notice of this ordinance, together with a copy of the report above referred to, signify to us, by a resolution to be adopted at a regular or special meeting of their Board for that purpose held, and to be certified by their president and secretary under their corporate seal, their consent that such departments be established in their respective institutions for the purposes aforesaid; and their express agreement in consideration of the appropriation or endowment to be made for them as aforesaid, to institute and conduct such departments on the foundation, and in the manner, particularly defined and set forth in the said report; and to observe, execute, and fulfil, all such orders, rules and regulations as the Regents may from time to time ordain or prescribe in relation thereto.

3d. That whenever a certified copy of the resolution, required by the last preceding section of this ordinance, shall be received by the secretary of the University, and duly filed in his office, the trustees of each of the said academies, adopting and transmitting such resolutions as aforesaid, shall be entitled to receive out of the moneys belonging to the Literature Fund, now in the State Treasury, their proportional part of the \$4,000 appropriated by the first section of this ordinance for the purposes therein mentioned, to be expended by them for said purposes; such proportional part to be hereafter determined by the Regents, according to the relative wants and circumstances of said academies, to be ascertained from a comparison of the reports about to be made by them, in obedience to a resolution of the Regents heretofore adopted for that purpose; and the said trustees shall also be entitled to receive at the same time, the further sum of \$400, out of the annual income of said fund, to be applied to the support (for the first year) of the departments about to be established by them as aforesaid; and annually thereafter, (until otherwise directed by the Regents,) the said trustees, after first making the annual report hereinafter required of them, shall be entitled to receive out of the income of said fund, the like sum of \$400, for the like purposes aforesaid, to be apportioned and paid to them in the manner particularly provided for in the next following section of this ordinance.

4th. Whenever the trustees of the several academies, designated, or to be designated for the purpose contemplated by this ordinance, shall have fulfilled the conditions on which they are herein

declared to be entitled to the special endowments made, or provided for them as aforesaid, and the amount thereof shall be ascertained in the manner required by the last preceding section of this ordinance, it shall be the duty of the Chancellor and Secretary of the University, to certify to the Comptroller of the State, the amount which said academies shall respectively be entitled to receive out of the income of said fund, to the end that the Comptroller may have the requisite evidence of their right thereto, to warrant the payment thereof. And annually thereafter, whenever a general apportionment of the income of said fund shall be made among the academies entitled thereto, a special apportionment of the said \$3,200 shall be made among the academies designated or to be designated by the Regents, as entitled thereto, and the same shall be certified to the Comptroller, and be thereupon payable at the same time and in the same manner, as is, or shall be, provided in respect to the said general apportionment.

5th. The trustees of the several academies designated, or to be designated, for the purposes aforesaid, shall, together with the annual report, already required to be made by them to the Regents of the University, present a full and detailed statement or report of the progress and condition of the department for the education of teachers of common schools, to be established by them as aforesaid, according to such form as shall be prescribed by the Secretary of the University, by instructions to be for that purpose prepared by him in accordance with the provisions contained in the report of the committee above referred to.

6th. That the Secretary cause the report of said committee, together with this ordinance, to be printed, and copies thereof, with such instructions as are above required to be prepared by him, to be sent to the trustees of all the academies in the State, subject to the visitation of the Regents of the University; and further, that a copy of said report, ordinance and instructions, be transmitted by the Regents to the Legislature, as part of their annual report.

A true extract from the minutes of the Regents of the University.

GIDEON HAWLEY, *Secretary.*

Albany, January, 1835.

INSTRUCTIONS, &c.

The Secretary of the University, in compliance with a provision contained in the foregoing ordinance, requiring him to prepare suitable forms for the academic reports therein mentioned, submits the following instructions:

The trustees of the several academies, in which departments for the education of teachers of common schools shall be established,

[Senate No. 70.]

will, as heretofore, be required to make the same general annual reports to the Regents of the University, as other academies are required to make, in respect to all matters not relating specially to the department for common school teachers. In respect to such matters, they being entitled to the same distributive shares of the income of the Literature Fund, as other academies, must for that reason, comply with the same regulations. But in addition to their general report, they will be required to make a special report on the progress and condition of the department for the education of common school teachers established in their academies. Such special report should contain all the matters enumerated, or suggested, by the committee of the Regents in their report herewith published. But it should not contain what is embraced in the general report, as that would be doubling, what ought to appear single. And in order to show that the matter of one report is not blended with similar matter in the other, the several parts of the general report relating to *money received from the Regents*; to the *subjects of study pursued in the academy*; to the *class or text books used in it*; and to the *number of students taught, &c.*, ought to be qualified with a clause, excepting from those parts what relates to the department for common school teachers. Take for example the *subjects of study* which form a separate head in the general report; the statement under that head should be in the following form:

The subjects of study taught in the academy during said year *except what were taught in the department, or to scholars belonging to the department for common school teachers*, were as follows:

And so with other parts of the report, that whatever belongs to the department for common school teachers, or relates specially to students in that department, may be exhibited separately, to enable the Regents to have a correct view of its actual condition. It is not however to be inferred, from any thing here said, that students belonging to the department for common school teachers, are to be kept or taught separately by themselves. On the contrary, it will be seen from the report of the committee of the Regents, that a promiscuous union of such students with others in the academy, in all pursuits or exercises common to both classes, is expressly recommended by them. The separation above mentioned as necessary to be observed, relates only to the form of the academic report, not to the mode of study in the academy.

The special report on the department for common school teachers may be in the following form:

To the Regents of the University of the State of New-York.

The Trustees of Academy, in addition to their general or annual report herewith transmitted, submit the following special report, on the progress and condition of the department for the education of common school teachers established in their institution.

1st. *Organization of the Department.*

Under this head state what amount of money was received from the Regents, and when, for the first endowment of the de-

partment; how it has been expended, with a specification (in a schedule or inventory to be annexed,) of the several articles of apparatus, books, &c., purchased with it; whether the same are still on hand, and in what condition. Also, under this head should be stated what teachers, if any, have been employed on account of the department, what compensation is paid or allowed to them annually, and what the whole annual expense incurred on account of the department is; that is to say, the expense, as estimated by the trustees, over and above what would have been incurred, if no such department had been established; also, the amount, if any, received or charged during the last year for tuition of students belonging to the department, and particularly on what ground such charge has been made; how it differs from the tuition charge to other students, and what the views of the trustees are in respect to charging for tuition of students in the department.

Under this head also, should be stated what examination applicants for admission into the department are subjected to; what evidence is required from them of their intention to become teachers of common schools;* whether the course of study, discipline, and exercises, prescribed for them by the Regents, (as the same is particularly defined and set forth in the report herewith published,) be strictly pursued by such students, and if not so pursued, wherein, and for what cause there is a departure from it; also, such general or particular views, as the trustees may have to present, in relation to any defects discovered by them in the organization of the department, and how the same may best be remedied; together with such other matters relating to organization, as they may have to submit or suggest.

2d. *Subjects of Study pursued, and Class or Text Books used.*

Under this head, should be stated in one column, every subject of study taught in the department, and opposite to it, in another column, the text or class books used for teaching it; where there are several editions of the same book, the one used should be particularly stated, and if the cost of each book should be added, in another column, it would afford useful information to those who are preparing to enter the department.

* As it is recommended in the report of the committee of the Regents, herewith published, that the trustees of the academies, in which departments for common school teachers are to be established, should "make the rate of tuition for those who *intend in good faith* to devote themselves to the business of teaching, as low as possible," it is of course expected, that the trustees will require some kind of evidence, of the *intention in good faith*, mentioned by the committee as the ground for reduced charges of tuition. It is suggested by the secretary that (until further experience be had on the subject,) the evidence of *intention*, &c., may consist of a simple declaration in writing, to be signed by the applicant alone, if he be of full age, and by him and his parent or next friend, if he be under age, that he applies for admission into the department *in good faith*, for the purpose of qualifying himself to teach a common school, and that it is his actual intention to engage in the business of teaching such a school in this State, (if he can find employment therein,) after he shall have left said department.

3d. *Number and Classification of Students.*

The whole number of students belonging to the department on the day of (state the day to which the general report relates,) was..... 60

Of which number there have been connected with the department for a period not exceeding one quarter or term of the academy, 20

For a period exceeding one, but not exceeding two terms, 10

For a " " two, " " three terms, 5

For a " " three " " four terms, 8

And so on until all the students in the department are classified according to the length of time spent in it.

A true list or catalogue of the names, ages, places of residence, and studies, of the several students belonging to the department, is herewith annexed, and verified by the oath of the principal of the academy.

In making out the list or catalogue above referred to, the form of a similar catalogue prescribed for the general academic report, by instructions from the Secretary of the University in 1834, will be a sufficient guide, after adding to that form a new column for the places of residence, (both town and county,) of the students named, &c.; and after substituting the following caption in lieu of the one there given, viz:

The following is a true list or catalogue of the names, places of residence, ages, and studies of the several students belonging now, or at any time during the past year, to the department for the education of teachers of common schools, established in this academy, with a specification of the different studies pursued by each of said students, and the length of time the same were pursued in each quarter or term of said year, designating said studies by the ordinary name or title of the book or treatise studied, and stating the part or portion of each book so studied, and the time spent in studying the same during each of said terms.

The affidavit at the close of the list or catalogue of students, studies, &c., should be in the following form:

County of ss. A. B. being duly sworn, deposeth and saith, that he is principal instructor of Academy. That according to the best of his knowledge, information and belief, the foregoing is a just and true list of the names, ages, places of residence, and studies, of the several students belonging to the department for the education of common school teachers established in said academy; that the said students, before they were admitted into said department, were found, on examination duly made, to have attained such a proficiency in the arts of reading and writing, and to have acquired such elementary or preliminary knowledge, as is required by the second section of the ordinance of the Regents, of the 18th of March, 1828, to make them students in the higher branches of English education as therein defined. That the said students have severally been exercised in composition and declamation as often on an average as once in days, during the time they have been connected with said department, and that

the facts set forth in the report hereunto annexed are true according to the best of this deponent's knowledge, information, and belief.

Signed A. B., *Principal, &c.*

Sworn, &c.

Graduation, &c.

Under this head, should be stated the names, places of residence, &c., of the students belonging to the department who, during the year to which the report relates, shall have completed the full course of studies prescribed for them by the Regents of the University, and received from the trustees of the academy the full *Diploma*, contemplated in such cases to be granted to them if on examination, &c., they shall be found worthy of it. Also under the same head should be stated the names of all who, during said year shall have left the department without completing the full course, distinguishing such as shall have so left it, on receiving the certificate of the principal of the academy, of partial qualification, &c.; and distinguishing also, such as shall have so left the department from any other, and what cause.

Remarks.

Under this head the trustees can state any thing relating to the department which they consider important to communicate to the Regents, and they are particularly requested to state the necessary expenses of the students for board, lodging and tuition, and the particular inducements held out by their institution for students to enter, &c.; also what they know as to the success of the plan adopted by the Regents for the better education of common school teachers, its influence on the character of common schools, &c. &c.

The establishment of departments for the education of teachers of common schools, in the several academies designated for that purpose, being made on condition that the trustees of those academies consent thereto, and agree to institute and conduct such departments in the manner required, or contemplated by the ordinance herewith published, it will be necessary for the trustees, on receiving official notice of that ordinance, to meet together for the purpose of taking the same into consideration: and if, after such consideration, they, or a majority of them, consent to the establishment of the proposed departments, and agree to institute and conduct the same as required by the Regents, it will be necessary for them to signify such consent and agreement to the Regents, by a resolution under their corporate seal, to be signed by their president and secretary, and transmitted to the Secretary of the University. The resolution may be in the following form:

Resolution, &c.

To the Regents of the University of the State of New-York.

The Trustees of _____ Academy, having received from the Regents of the University official notice of their ordinance of the

20th day of January, 1835, and of the documents therein referred to, whereby it is proposed to establish in the said academy, on certain conditions therein mentioned, a department for the education of teachers of common schools; and the said trustees having at a special meeting, for that purpose held on the day of duly considered the said ordinance and other documents therein referred to, it was thereupon

Resolved, That the said trustees would, and they thereby did consent that a department for the education of teachers of common schools be established in their said academy, on the foundation, and in the manner particularly defined or referred to in the said ordinance; and in consideration of the special endowment of said department as therein proposed to be made by the said Regents, the said trustees did further resolve that they would, and they thereby did, agree to institute and conduct said department on the foundation and in the manner aforesaid, and to observe, fulfil, and obey all such orders, rules, and regulations as the said Regents should from time to time make in relation thereto, so long as the endowment of said department should be continued as proposed by the said Regents.

In witness whereof, the said trustees have caused these presents to be signed by their president and secretary, and their corporate seal to be hereon impressed, this day of, &c.

Attest,
C. D., *Secretary*.

A. B., *President*, [L. s.]

As these instructions will be sent to all the academies in the State, the Secretary avails himself of the occasion to call the attention of the trustees of the several academies, subject to the visitation of the Regents, to a provision contained in an act of the Legislature of the 22d of April last, (Laws of 1834, chap. 140,) requiring the moneys therein directed to be distributed among said academies, to be applied *exclusively towards paying the salaries of tutors*. By the last section of the same act, the law which authorized certain academies to subject themselves to the visitation of the Regents, was repealed.

The Secretary also avails himself of the occasion to request that in all future annual reports of the academies to the Regents of the University, the subjects of study pursued in the academies and the text books used in them, may form but a single head, instead of forming two separate heads as inadvertantly proposed in the instructions of 1834. Under such a general head there should be stated in one column, every subject of study taught in the academies, and in another column, opposite to it, should be stated the class or text book used for teaching it, and if there be large and small editions of the same book, the one used should be stated. At the end of the last column should be enumerated the various reading books used in the academies, if they be not included in the previous list.

GIDEON HAWLEY,
Secretary of the University.

Albany, January 24th, 1834.

AN ABSTRACT
OF THE
RETURNS
OF
METEOROLOGICAL OBSERVATIONS
MADE TO THE
REGENTS OF THE UNIVERSITY,
FOR THE YEAR 1834,
BY
Sundry Academics in this State,
IN OBEDIENCE TO INSTRUCTIONS, DATED
MARCH 1, 1825.

[illegible]

ACADEMIES, (Continued.)

List of Academies reporting.	Towns.	Counties.	Time for which they report.	Observers.
Schenectady,	Schenectady,	Schenectady,	The whole year, incomplete,	Asa Sheldon.
Sem. of Gen. and Onei. Con., ..	Cazenovia,	Madison,	do	John Johnston, Professor of Mathematics, &c.
Springville,	Concord,	Erie,	do	Not stated.
Union,	Ellisburgh,	Jefferson,	do	J. W. Sargents, J. B. Cook and L. G. Parker, Students.
Union-Hall,	Jamaica,	Queens,	do	Charles Leach.
Utica,	Utica,	Oneida,	do	D. Prentice, Principal.
Oxford,	Oxford,	Chenango,	do	Merritt G. McKoon, Principal.

JANUARY, 1884.

WEATHER, (NO. OF DAYS.)									
Clear.		Cloudy.		Rain.		Snow.		Rainy.	
45	1	174	134	3	3	1	1	1.35	1.35
...	...	16	15	14	14	2	2	1.76	1.76
...	...	134	174	24	24	6	6	4.19	4.19
...	...	15	16	2	2	14	14	1.41	1.41
...	...	15	16	4	4	64	64	9.34	9.34
...	...	74	234	2	2	5	5	1.06	1.06
...	...	15	16	...	...	24	24	1.75	1.75
...	...	16	15	4	4	3	3	2.99	2.99
...	...	17	14	44	44	8	8	3.98	3.98
...	...	194	114	24	24	14	14	2.92	2.92
...	...	17	14	4	4	2	2	1.75	1.75
...	...	184	124	3	3	6	6	1.17	1.17
...	...	7	94	3	3	2	2	1.71	1.71
...	...	90	11	14	14	4	4	2.73	2.73
...	...	164	144	9	9	14	14	1.45	1.45
...	...	134	174	34	34	14	14	2.10	2.10
...	...	216	84	2	2	1	1	1.19	1.19
...	...	17	14	3	3	14	14	9.35	9.35
...	...	114	194	16	16	2	2	1.52	1.52
...	...	15	16	24	24	1	1	1.40	1.40
...	...	184	124	4	4	7	7	1.74	1.74
...	...	17	14	24	24	1	1	1.83	1.83
...	...	184	124	34	34	14	14	1.59	1.59
...	...	204	104	24	24	2	2	2.40	2.40
...	...	164	104	104	104	...	...	...	...

JANUARY, (Continued.)

ACADEMIES.	THERMOMETER.				WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Rain gage.	
	Mean temperature.		Range.	Lowest de- gree.	Highest de- gree.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.		Rain & Snow.
	1st half.	2d half.																	
Oysterbay,	28.42	29.55	48	7	55	1	10	...	1	1	8	2	9	21	9	4	2	...	1.92
Palmyra,	23.27	25.72	45	8	53	1	11	3	4	1	4	9	7	10	20	2	4	...	1.09
Pompey,	18.15	19.48	51	9	42	...	1	...	2	7	6	6	8	12	19	4	5	...	4.17
Redbook,	22.70	22.00	44	2	46	14	3	1	...	11	...	1	...	19	11	4	1	...	.11
Rochester,	17.72	19.85	46	2	48	...	2	3	2	1	3	18	...	12	18	2	6	...	.35
St. Lawrence,	14.57	12.08	60	17	43	1	5	...	1	2	10	3	7	11	20	2	3	...	1.15
Schenectady,	20.56	20.13	56	8	48	...	1	...	4	1	6	7	16	23	8	2	2	...	1.56
Sem. of Gen. and Onei. Conferences, Springville,	19.48	20.26	56	12	44	...	...	...	1	7	5	10	7	11	19	3	2	...	1.47
Union,	19.52	21.08	48	2	46	1	2	...	1	3	5	10	8	7	23	7	3	...	1.70
Union-Hall,	23.55	20.37	54	9	45	...	4	1	1	8	3	5	8	10	21	4	3	...	1.74
Utica, ..	27.40	30.32	47	7	54	3	6	1	...	...	7	8	8	16	14	...	1	...	1.89
Orford,	20.95	21.17	46	0	46	...	...	6	4	...	2	18	...	20	10	...	...	...	.92
	17.98	20.34	59	14	45	3	...	...	...	6	9	8	3	14	16	2	5	...	

FEBRUARY, 1934.

ACADEMIES.	TEMPERATURE.			Highest Wind Speed
	Mean temperature.		1st half.	
	1st half.	2d half.		
Albany,	26.85	28.08	56	
Auburn,	31.75	37.29	60	
Bridgewater,	27.82	32.63	56	
Cambridge Washington, ..	27.00	28.12	55	
Canajoharie,	26.26	24.68	51	
Canastota,	26.72	26.84	59	
Cayuga,	29.32	37.80	62	
Cherry-Valley,	29.12	36.59	55	
Clinton,	24.58	28.71	61	
Dutchess,	22.54	40.10	53	
Excelsus Hall,	25.51	43.14	59	
Farmer's Hall,	21.65	37.44	56	
Fredonia,	23.68	42.07	63	
Gouverneur,	27.69	35.35	59	
Granville, .....	.....	.....	.....	1
Hamilton,	29.22	38.41	61	
Hudson,	26.41	38.26	59	
Ilwaco,	23.39	29.52	64	
Johnstown,	25.90	34.52	53	
Kinderhook,	28.71	37.35	59	
Kingston,	31.95	38.78	53	
Lewistown,	31.40	39.16	57	
Lawton,	32.37	40.50	59	
Middlebury,	35.69	41.63	70	
Montgomery,	30.05	37.84	48	
Mount Pleasant,	23.52	24.55	52	
Newburgh,	22.25	29.54	54	
North-Salem,	22.71	29.04	53	
Oneida Institute,	26.39	34.53	55	

FEBRUARY, (Continued.)

ACADEMIES.	THERMOMETER.				WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Range.	
	Mean temperature.		Highest de- gree.	Lowest de- gree.	Range.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.		Rain & Snow.
	1st half.	2d half.																	
Oysterbay,	35.10	41.15	58	18	40	1	9	...	3	1	9	4	4	20	8	3	4	...	1.67
Palmyra,	31.21	41.23	64	11	53	4	...	2	4	2	3	7	3	12	16	4	4	...	.80
Pompey,	26.73	34.53	55	—	56	...	...	...	5	6	7	5	5	13	14	4	3	...	
Redhook,	29.55	32.59	46	3	43	13	2	...	4	10	4	1	...	25	3	...	...	...
Rochester,	25.47	34.19	62	1	61	1	4	...	3	3	5	7	2	10	18	2	1	...	.73
St. Lawrence,	23.47	33.23	56	8	64	...	5	...	1	3	10	2	3	13	15	3	2	...	.57
Schenectady,	28.06	35.87	54	6	60	...	...	...	4	7	1	5	5	19	9	2	1	...	.87
Sem. of Gen. and Onei. Conferences,	27.83	37.25	57	4	61	...	...	...	1	2	7	6	7	14	14	1	1	...	1.38
Springville,	31.07	37.61	64	2	62	...	2	...	...	10	4	4	8	13	15	3	1	...	1.35
Union,	30.27	36.46	56	3	59	...	5	...	2	3	5	2	1	12	15	1	...	...	1.30
Union-Hall,	34.34	40.49	60	13	47	...	8	...	2	...	4	7	6	15	13	2	...	...	2.02
Utica,	29.83	34.10	56	0	56	...	...	...	8	...	7	...	...	19	8	...	...	...	1.21
Oxford,	27.77	36.38	58	8	66	...	2	...	...	10	3	6	2	13	14	3	1	...	1.29

MARCH, 1834.

WEATHER, (No.

Clear.	Cloudy.	Rain.	Thunder.	Lightning.	Wind.
16	15	4	5	1	1.00
14	17	3	34	...	1.00
194	114	1	44	1	1.58
17	14	3	24	...	2.43
134	174	3	54	...	...
14	17	5	3	...	3.41
134	174	24	24	...	2.09
16	15	24	54	...	2.65
134	174	4	6	...	.85
25	6	4	2	...	1.25
184	124	54	...	...	1.62
234	74	14	1	...	1.62
174	134	2	1	...	1.60
174	134	...	...	...	...
17	14	4	3	...	1.83
17	14	14	9	...	2.90
19	19	3	24	...	2.59
214	94	1	1	...	1.04
16	15	2	2	...	1.05
17	14	24	24	...	2.62
17	14	3	24	...	.83
23	8	1	1	...	2.92
194	114	4	3	...	1.82
13	18	24	3	...	2.99
18	15	24	3	...	2.66
184	124	2	1	...	2.35
214	94	3	4	...	1.65
124	124	14	14	...	1.68
21	10	2	2	...	1.88
16	14	3	24	...	2.96

MARCH, (Continued.)

ACADEMIES.	THERMOMETER.			WINDS, (NO. OF DAYS.)							WEATHER, (NO. OF DAYS.)					Rain gauge.														
	Mean temperature.			North.	East.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.	Rain & Snow.																	
	1st half.	2d half.	Range.																											
Oysterbay,	41.77	41.57	52	3	1	3	1	1	3	1	1	1	1	2.67	2															
Falmouth,	37.86	30.78	56	4	4	4	4	4	4	4	4	4	4	.41	4															
Pompey,	31.65	30.98	53	...	...	...	...	...	...	...	...	...	...	...	...			
Redbank,	29.58	39.35	34	9	1	1	1	1	1	1	1	1	1	1.81	1															
Rochester,	33.94	37.41	50	34	3	24	164	1	1	1	1	1	1	1.78	1															
St. Lawrence,	29.68	29.72	63	11	4	1	1	1	1	1	1	1	1	2.32	2															
Schenectady,	35.46	33.84	66	...	...	...	...	...	...	...	...	...	...	1.95	1					
Sen. of Gen. and Oresi. Conference,	32.81	33.60	63	4	1	1	1	1	1	1	1	1	1	2.51	2															
Springville,	36.44	37.35	57	1	1	1	1	1	1	1	1	1	1	1.11	1															
Union,	34.23	35.08	66	34	4	...	...	...	...	...	...	...	...	1.50	1							
Union-Hall,	36.79	40.35	63	3	2	3	64	6	1	1	1	1	1	1.00	1															
Utica,	34.08	32.81	63	...	...	...	...	...	...	...	...	...	...	2.68	2					
Oxford,	36.77	36.73	58	14	...	...	78	6	...	...	...	...	...	.96	6							

APRIL, 1834.

ACADEMIES.	THERMOMETER.			WINDS, (NO. OF DAYS.)							WEATHER, (NO. OF DAYS.)					Rain gage.			
	Mean temperature.		Range.	Highest de- gree.	Lowest de- gree.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.		Rain.	Snow.	Rain & Snow.
	1st half.	2d half.																	
Albany,	50.70	48.01	54	82	28	7	1	...	1	10	1	5	5	18	12	10	1	...	2.35
Auburn,	50.10	47.95	46	75	29	3	3	4	6	2	1	2	8	17	11	4	1	...	1.30
Badgewater,	43.37	41.09	60	78	18	4	1	7	2	3	2	5	4	15	15	4	2	...	2.63
Cambridge Washington,	48.68	45.61	62	82	20	3	2	...	1	12	4	4	3	16	13	5	1	...	2.58
Canandaigua,	47.26	52.62	48	78	30	1	...	...	2	11	5	10	...	17	12	7	...	...	3.13
Cayuga,	46.49	42.65	61	81	20	1	...	...	...	11	3	...	3	12	18	4	...	...	2.34
Cherry-Valley,	48.20	44.83	61	80	19	1	7	2	...	3	1	...	5	17	13	4	2	...	4.13
Clinston,	45.70	45.84	48	78	30	4	5	7	4	2	4	...	4	15	14	6	2	...	2.02
Dutchess,	53.30	47.94	72	90	18	2	10	...	8	1	3	...	6	16	13	8	1	...	2.62
Erasmus Hall,	49.25	50.18	46	76	30	...	6	...	5	2	4	...	4	15	15	2	1	...	3.21
Farmers' Hall,	47.67	45.14	56	85	29	...	2	...	...	5	1	...	3	17	12	6	...	...	3.30
Fredonia,	43.73	48.39	35	66	31	...	4	...	...	2	...	...	5	16	13	2	...	...	1.85
Gouverneur,	51.65	47.46	63	83	20	...	4	...	...	2	...	...	...	17	12	4	...	...	1.98
Granville, .....	...	...	...	...	...	1	1	...	...	1	...	...	...	17	12	...	...	...	1.17
Hamilton,	46.60	43.37	63	86	23	1	...	...	...	1	...	...	...	18	11	1	...	...	5.85
Hudson,	51.53	44.37	57	87	30	4	...	...	...	7	...	...	3	19	11	4	1	...	3.39
Johnstown,	49.70	45.44	56	80	24	...	...	...	...	1	...	...	2	13	17	6	1	...	3.32
Kinderhook,	48.84	45.99	62	83	21	...	...	...	...	10	...	...	...	14	15	6	...	...	2.70
Kingston,	51.49	52.17	48	79	31	...	6	...	...	3	...	...	...	15	14	4	...	...	2.55
Lansingburgh,	50.25	46.22	52	74	22	2	2	...	...	9	...	...	...	13	17	7	...	...	1.46
Lewiston,	51.64	48.96	46	79	33	1	4	...	...	...	...	...	...	15	14	...	...	...	2.45
Middlebury,	52.39	47.37	61	80	19	3	...	...	...	...	...	...	...	14	16	4	1	...	1.75
Montgomery,	53.56	49.07	60	89	29	2	6	...	...	2	...	...	...	15	15	3	1	...	3.35
Mount-Pleasant,	50.07	49.11	48	78	30	5	4	...	...	1	...	...	...	15	15	9	1	...	2.80
Newburgh,	50.41	49.86	55	83	28	1	13	...	...	6	...	...	...	16	14	3	...	...	4.38
North-Salem,	47.10	47.79	63	83	20	2	4	...	...	...	...	...	...	16	14	7	...	...	2.50
Oneida Institute,	49.29	45.11	81	83	21	...	...	...	...	...	...	...	...	17	13	...	...	...	4.89
Oysterbay,	51.46	51.20	60	83	36	...	12	...	...	...	...	...	...	17	13	...	...	...	...
Palmyna,	54.46	44.86	47	83	30	...	...	...	...	...	...	...	...	17	13	4	...	...	...

APRIL, (Continued.)

ACADEMIES.	THERMOMETER.			WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Rain gage.		
	Mean temperature.		Range.	Highest de- gree.	Lowest de- gree.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.		Snow.	Rain & Snow.
	1st half.	2d half.																	
Pompey,	46.81	42.75	49	72	23	2	4	1	5	2	3	1	10	15	15	8	3	.....	4.00
Redhook,	52.76	45.95	54	84	30	10	4	...	1	13	2	2	...	18	12	5	1	.....	1.00
Rochester,	48.05	47.67	60	83	23	2	4	4	2	1	2	9	6	13	17	4	1	.....	2.00
St. Lawrence,	49.69	41.98	55	78	23	1	8	...	...	5	4	2	6	16	13	4	1	.....	1.50
Schenectady,	50.15	.....	61	86	22	...	...	...	...	...	...	...	...	18	11	3	1	.....	2.40
Sem. of Gen. and Onei. Conferences,	49.07	44.06	53	78	25	1	2	14	5	1	3	2	13	15	15	3	1	.....	2.50
Springville,	51.58	48.72	50	80	30	...	5	3	2	1	3	5	9	14	16	6	...	.....	3.30
Union,	49.73	44.68	52	78	26	1	4	...	3	5	5	5	5	17	12	4	1	.....	3.00
Union-Hall,	49.82	48.74	50	82	32	1	6	6	3	3	3	1	6	13	16	8	1	.....	3.00
Utica,	47.46	43.63	57	76	19	...	...	13	...	3	4	12	...	18	11	...	...	.....	3.00
Oxford,	48.72	46.03	68	81	19	3	6	14	...	3	3	4	8	15	14	5	1	1	1.50

MAY, 1834.

WINDS, (NO. OF DAYS.)						WEATHER, (NO. OF DAYS.)						Rain-fall.
East.	S. East.	South.	S. West.	West.	N. West.	C.	Cloudy.	Rain.	Snow.	Ra & Snow.		
1	1	17	4	4	4	16	14	6	1	1	3.70	
2	7	7	3	3	7	19	12	4	1	...	2.62	
5	2	5	10	6	11	15	16	6	1	...	2.18	
...	3	3	6	13	11	4	1	...	2.56	
...	7	7	2	18	13	3	1	...	3.60	
...	1	...	2	15	16	3	1	...	2.34	
...	2	...	4	17	14	6	1	...	4.58	
...	4	...	4	20	10	3	...	...	6.07	
...	5	...	1	18	13	5	...	...	3.18	
...	16	...	6	21	10	5	...	...	4.88	
...	4	...	1	19	19	5	...	...	3.50	
...	4	...	7	13	11	...	...	...	...
...	7	...	0	10	11	...	...	...	...
...	1	...	5	20	10	...	...	...	2.52	
...	4	...	1	11	13	...	...	...	4.16	
...	1	...	14	18	12	...	...	...	2.65	
...	1	...	15	19	12	...	...	...	4.83	
...	16	4	...	...	...	2.86	
...	2	16	15	...	...	...	3.67	
...	14	16	13	...	...	...	4.60	
...	11	14	14	...	...	...	2.48	
...	4	13	18	...	...	...	3.04	
...	10	13	13	...	...	...	...
...	1	22	9	...	...	...	...
...	3	1	3	...	...	...	...
...	4	20	10	...	...	...	1.41	
...	11	15	16	...	...	...	3.45	
...	6	21	10	...	...	...	5.54	
...	1	15	14	...	...	...	2.94	
...	8	17	14	...	...	...	4.14	
...	7	21	16	...	...	...	2.38	
...	11	21	16	...	...	...	7.06	

MAY, (Continued.)

ACADEMIES.	THERMOMETER.				WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Rain gage.	
	Mean temperature.		Highest de- gree.	Lowest de- gree.	Range.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.		Rain & Snow.
	1st half.	2d half.																	
Palmira,	52.72	65.46	90	27	63	5	14	...	34	14	3	84	8	184	124	1	4	...	2.34
Pompey,	42.62	61.97	81	19	62	...	...	4	34	1	104	84	7	174	134	64	14	...	3.56
Redhook,	49.62	57.68	92	15	77	9	2	14	2	124	14	1	14	16	15	3	...	...	.91
Rochester,	48.25	66.93	84	27	57	24	3	1	3	3	2	184	3	21	10	4	...	...	3.22
St. Lawrence,	43.16	59.88	86	23	63	...	44	...	5	34	114	24	4	14	17	5	1	...	4.07
Schenectady,	49.59	64.43	88	22	66	...	...	...	...	...	...	...	...	224	84	4	4	...	3.42
Sem. of Gen. and Onei. Conferences,	44.13	62.10	88	23	65	...	1	4	34	2	3	4	17	164	144	34	4	...	1.13
Springville,	43.69	71.81	86	21	65	...	14	...	...	...	104	184	54	174	134	24	2	...	.69
Union,	43.87	62.79	85	24	61	2	24	...	...	74	24	13	6	204	104	24	4	...	3.67
Union-Hall,	50.66	59.50	86	30	56	24	4	14	5	74	34	1	...	18	13	34	...	...	3.23
Utica,	45.28	62.17	86	20	65	...	...	84	2	...	4	164	...	23	8	...	...	...	3.27
Oxford,	45.67	62.44	87	24	63	2	2	4	1	5	84	54	64	144	164	84	1	1	...

JUNE, 1834.

ACADEMIES.	THERMOMETER.			WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Rain gauge.		
	Mean temperature.		Highest of day.	Lowest of day.	Range.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.		Snow.	Rain & Snow.
	1st half.	2d half.																	
Albany,	64.38	66.67	90	48	42	14	...	...	4	84	1	7	8	18	12	9	...	...	2.32
Auburn,	62.16	65.98	81	41	40	3	...	1	7	74	1	34	7	19	11	9	...	...	3.43
Bridgewater,	50.49	60.40	84	33	52	...	...	...	2	8	7	74	51	17	13	74	...	...	3.50
Cambridge Washington,	62.72	64.79	89	47	42	7	...	...	...	2	4	12	34	13	17	7	...	...	2.74
Camajoharie,	61.54	64.40	98	40	48	1	...	...	...	14	4	5	10	164	134	104	...	...	3.36
Canandaigua,	63.54	67.51	91	50	41	2	...	...	...	94	6	10	24	17	13	5	...	...	1.80
Cayuga,	59.87	65.86	85	45	40	2	...	...	...	194	3	...	51	134	164	44	...	...	2.90
Cherry-Valley,	58.38	63.06	85	31	54	14	...	2	1	3	5	...	2	174	124	84	...	...	3.91
Clinton,	61.00	61.87	84	40	44	14	...	3	44	34	74	24	54	90	10	4	...	...	4.16
Dutchess,	65.81	67.41	94	44	50	2	...	14	16	14	14	1	4	18	19	8	...	...	4.07
Erasmus Hall,	63.99	65.84	89	44	45	2	...	1	24	14	74	1	104	214	84	4	...	...	7.25
Farmers' Hall,	61.34	64.25	85	44	41	...	...	...	2	24	9	5	5	214	94	44	...	...	6.72
Fredonia,	63.97	66.60	83	50	33	3	...	...	14	3	144	64	24	174	124	8	...	...	3.62
Gouverneur,	63.08	64.53	92	42	50	...	...	...	...	3	12	4	94	21	9	5	...	...	5.79
Granville,	61.33	66.58	90	52	38	12	...	4	...	...	11	34	4	11	19	54	...	...	2.80
Hamilton,	56.25	59.24	86	30	56	4	...	...	...	...	154	34	84	20	10	...	...	...	3.74
Hudson,	60.63	62.15	88	43	43	1	...	...	...	1	...	3	104	194	104	54	...	...	4.10
Ithaca,	62.64	66.33	86	41	45	124	...	...	10	2	...	24	14	174	124	54	...	...	3.59
Johnstown,	61.89	63.70	88	41	47	...	...	64	1	4	24	16	4	15	15	6	...	...	3.53
Kinderhook,	61.82	64.09	90	41	49	...	...	...	3	84	2	...	7	15	15	9	...	...	2.53
Kingston,	65.64	66.98	90	50	39	...	...	...	24	54	74	...	...	134	164	8	...	...	6.67
Lansingburgh,	63.12	65.62	91	42	49	14	...	...	...	64	44	...	12	134	164	12	...	...	2.87
Lewiston,	66.33	66.65	88	51	37	2	...	...	2	14	18	24	14	194	104	44	...	...	3.03
Middlebury,	60.88	65.04	92	34	58	4	...	...	1	14	174	6	34	21	9	54	...	...	4.45
Montgomery,	60.32	52.34	94	40	56	44	...	...	14	...	14	24	15	15	15	84	...	...	6.33
Mount-Pleasant,	64.35	67.00	87	48	39	2	...	34	2	6	14	14	94	18	134	8	...	...	6.03
Newburgh,	64.69	66.94	93	50	43	2	...	...	24	9	4	2	44	164	94	8	...	...	6.92
North-Salem,	61.82	63.04	93	38	55	4	...	...	24	6	4	64	54	204	124	74	...	...	7.02
Oneida Institute,	60.17	64.61	85	39	46	2	...	6	1	...	1	13	6	174	124	...	...	...	2.92

JUNE, (Continued.)

ACADEMIES.	THERMOMETER.				WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Rain gauge.	
	Mean temperature.		Range.	Lowest de- gree.	Highest de- gree.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.		Rain & Snow.
	1st half.	2d half.																	
Cyrtusbay,	67.76	69.00	36	55	91	...	54	2	44	2	74	5	24	204	94	7	...	...	4.97
Palmyra,	62.37	65.04	47	42	89	1	1	14	4	1	6	8	64	174	124	7	...	...	1.39
Radbrook,	64.39	65.66	46	46	92	12	1	34	4	19	...	1	...	14	16	4	...	...	4.42
Rochester,	63.65	66.98	46	42	98	14	34	2	3	1	4	8	...	17	13	44	...	...	1.61
St. Lawrence,	58.29	60.29	52	36	88	1	54	4	24	34	74	2	74	154	144	7	...	...	3.81
Schenectady,	64.70	66.64	36	52	88	...	...	...	...	...	...	...	...	21	9	54	...	...	2.89
Sum. of Gen. and Onai. Conferences,	58.00	62.18	48	38	86	4	1	...	4	1	44	7	12	16	14	64	...	...	5.10
Springville,	62.71	67.73	...	...	...	...	24	...	...	...	10	144	5	12	18	54	...	...	4.15
Union,	60.72	65.83	60	23	83	4	34	...	...	...	84	2	44	164	134	4	...	...	2.56
Union-Hall,	63.82	64.65	53	40	93	34	34	2	3	34	4	2	84	184	114	74	...	...	6.41
Utica, ..	59.07	60.89	45	37	82	...	...	64	64	...	5	12	...	204	94	...	...	1	5.99
Oxford,	59.03	62.74	58	32	90	34	...	4	4	4	54	74	84	144	154	11	...	...	4.73

JULY, 1834.

ACADEMIES.	THERMOMETER.				WINDS, (NO. OF DAYS.)						OF DAYS.						Ratio page.
	Mean temperature.		High est °	Low est °	Range.	North.	N. East.	East.	S. East.	South.	S. West.	W.	N. West.	Rain & Snow.			
	1st half.	2d half.															
Albany,	76.83	74.40	96	56	40	14	3	14	84	61	3	7	44	224	74	10	5.25
Auburn,	72.97	72.29	92	50	42	.....	3	14	.....	14	71	7	7	224	.....	1	2.95
Bridge-water,	68.10	66.90	94	38	56	.....	.....	14	.....	6	6	15	94	21	.....	11	3.27
Cambridge Washington,	73.47	71.94	96	48	48	4	3	.....	.....	2	2	13	44	224	84	34	2.68
Canajoharie,	73.48	72.86	96	50	46	3	3	3	.....	5	44	34	.....	22	9	8	1.53
Canandaigua,	74.65	69.56	94	50	.....	.....	.....	.....	.....	.....	.....	.....	.....	16	13	10	3.36
Cayuga,	72.34	72.76	92	51	41	4	.....	.....	.....	.....	.....	.....	.....	19	12	21	1.14
Cherry-Valley,	69.83	71.34	89	31	64	14	.....	.....	.....	.....	.....	.....	.....	23	8	44	2.81
Clinton,	61.35	71.25	93	50	43	.....	.....	.....	.....	.....	.....	.....	.....	21	194	114	7.32
Dutchess,	76.57	75.99	101	50	51	24	7	.....	.....	.....	.....	.....	.....	14	19	54	1.88
Esopus Hall,	72.66	73.22	92	56	36	1	54	.....	.....	.....	.....	.....	.....	64	24	7	4.54
Farmers Hall, .....	.....	71.51	92	50	43	.....	.....	.....	.....	.....	.....	.....	.....	14	24	3	4.16
Frederick Hall,	74.31	75.42	88	61	28	2	2	.....	.....	.....	.....	.....	.....	14	23	.....	3.62
Gouverneur,	74.00	67.56	96	40	56	3	.....	.....	.....	.....	.....	.....	.....	24	74	14	.....
Granville,	74.95	72.07	100	48	52	94	.....	.....	.....	.....	.....	.....	.....	24	204	104	2.15
Hamilton,	66.11	66.91	93	38	55	2	1	.....	.....	.....	.....	.....	.....	4	26	8	3.04
Hudson,	73.46	75.38	90	52	45	6	14	.....	.....	.....	.....	.....	.....	14	23	34	3.50
Ides,	74.28	72.66	97	50	47	154	.....	.....	.....	.....	.....	.....	.....	2	23	44	2.60
Johstown,	73.97	73.69	93	48	45	.....	.....	.....	.....	.....	.....	.....	.....	2	23	44	3.87
Kindershook,	73.34	71.77	98	47	51	134	1	.....	.....	.....	.....	.....	.....	14	21	11	1.73
Kingston,	76.51	74.79	95	54	41	4	44	.....	.....	.....	.....	.....	.....	48	51	34	5.02
Lansburgh,	76.25	75.85	96	50	46	2	.....	.....	.....	.....	.....	.....	.....	54	21	34	3.94
Lawrence,	73.17	76.79	91	63	32	4	1	.....	.....	.....	.....	.....	.....	4	21	34	4.16
Middlebury,	72.98	72.12	98	43	55	2	.....	.....	.....	.....	.....	.....	.....	3	24	24	3.69
Montgomery,	77.56	73.54	101	58	43	.....	.....	.....	.....	.....	.....	.....	.....	6	21	10	2.86
Mount-Pleasant,	75.63	73.70	94	54	40	.....	.....	.....	.....	.....	.....	.....	.....	5	21	5	7.07
Newburgh,	76.81	74.72	100	54	46	.....	.....	.....	.....	.....	.....	.....	.....	14	14	14	2.09
North-Salem,	74.89	76.96	97	53	42	34	14	.....	.....	.....	.....	.....	.....	1	21	3	4.45
Oswego Institution,	70.71	70.16	97	41	56	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3.28

JULY, (Continued.)

ACADEMIES.	THERMOMETER.				WINDS. (HRS. OF DAYS.)								WEATHER. (NO. OF DAYS.)					Rain gauge.
	Mean temperature.		Highest de- gree.	Lowest de- gree.	Range.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.	Rain & Snow.		
	In half.	2d half.																
Oysterbay,	76.19	74.97	85	60	25	10	11	6	5	1	3	24	19	53	...	...	8.45
Palmyra,	74.19	72.58	87	47	40	3	2	11	9	8	2	18	10	5	...	...	1.57
Bedford,	74.50	73.19	96	52	44	10	3	14	5	...	21	10	...	...	...	...	4.63
Rochester,	70.37	73.53	93	50	43	4	1	5	19	9	25	9	4	...	...	...	1.45
St. Lawrence,	70.33	68.06	93	40	53	...	...	14	...	5	18	13	4	...	...	...	2.53
Schenectady,	75.06	73.85	94	52	42	...	...	9	...	...	24	9	11	...	...	...	2.60
Sum. of Gen. and Onsi. Conference,	70.46	68.81	93	37	56	1	1	11	7	8	12	24	7	11	...	...	1.89
Springville,	74.30	76.00	95	51	44	...	...	...	...	...	17	13	...	...	...	...	2.75
Union,	71.64	71.80	93	46	50	1	1	3	12	7	3	32	5	1	...	...	1.43
Union-Hall,	73.70	72.34	94	56	38	5	1	2	7	11	3	32	11	4	...	...	6.17
Utica,	69.82	67.62	92	41	51	...	...	11	...	2	2	21	21	4	...	...	3.80
Oxford,	71.11	70.73	95	40	55	3	4	4	7	7	24	21	9	5	...	...	3.50

AUGUST, 1834.

[illegible]

AUGUST, (Continued.)

ACADEMIES.	TEMP.		WINDS, (NO. OF DAYS.)						WEATHER, (NO. OF DAYS.)				Rain pgs.
	Mean temperature.		N. East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.	Rain & Snow.
	1st half.	2d half.											
Palmyra,	73.68	64.06	1	...	2	3	4	104	20	11	44	...	2.62
Pompey,	71.02	61.28	4	...	4	4	1	31	324	74	2	...	.64
Bedhook,	75.46	67.70	4	44	94	...	1	...	324	104	...	...	1.40
Rochester,	74.44	68.43	1	...	...	34	4	74	324	74	34	...	1.28
St. Lawrence,	68.59	63.83	...	...	4	7	64	7	19	19	...	...	1.46
Schenectady,	73.70	65.51	1	3	6	...	12	54	31	10	6	...	2.10
Sess. of Gen. and Oms. Conferences,	69.67	60.98	...	...	14	...	34	174	22	9	...	...	2.32
Springville,	73.51	65.98	...	...	1	3	13	19	30	11	...	...	2.59
Union,	71.83	62.15	1	...	2	54	74	8	194	114	2	...	.75
Union-Hall,	73.27	65.39	1	1	3	4	4	44	324	74	1	...	1.08
Utica,	67.84	57.84	...	7	64	24	24	4	324	24	...	...	3.97
Oxford,	71.46	61.29	...	...	4	4	...	74	324	94	34	...	3.49

SEPTEMBER, 1884.

WEATHER, (NO. OF DAYS.)									
°F	°C	W	W	W	W	W	W	W	W
16	14	7	3	3	3	3	3	3	3
18	14	3	3	3	3	3	3	3	3
19	14	3	3	3	3	3	3	3	3
11	14	3	3	3	3	3	3	3	3
15	14	3	3	3	3	3	3	3	3
16	14	3	3	3	3	3	3	3	3
20	14	3	3	3	3	3	3	3	3
19	14	3	3	3	3	3	3	3	3
16	14	3	3	3	3	3	3	3	3
18	14	3	3	3	3	3	3	3	3
17	14	3	3	3	3	3	3	3	3
19	14	3	3	3	3	3	3	3	3
14	14	3	3	3	3	3	3	3	3
17	14	3	3	3	3	3	3	3	3
16	14	3	3	3	3	3	3	3	3
19	14	3	3	3	3	3	3	3	3
17	14	3	3	3	3	3	3	3	3
15	14	3	3	3	3	3	3	3	3
21	14	3	3	3	3	3	3	3	3
18	14	3	3	3	3	3	3	3	3
15	14	3	3	3	3	3	3	3	3
22	14	3	3	3	3	3	3	3	3
15	14	3	3	3	3	3	3	3	3
18	14	3	3	3	3	3	3	3	3
17	14	3	3	3	3	3	3	3	3
19	14	3	3	3	3	3	3	3	3
25	14	3	3	3	3	3	3	3	3
16	14	3	3	3	3	3	3	3	3

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SEPTEMBER, (Continued.)

ACADEMIES.	THERMOMETER.			WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Rain gage.		
	Mean temperature.		Range.	Highest de- gree.	Lowest de- gree.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.		Snow.	Rain & Snow.
	1st half.	2d half.																	
Palmyra,	63.54	58.43	54	86	32	3½	1½	½	6½	3	4	5	6	12	18	7	...	...	3.16
Pompey,	61.46	56.82	58	86	28	...	...	...	...	8	9	4½	8½	17½	12½	2½	...	...	2.39
Redhook,	64.91	61.38	60	90	30	5	1½	½	2	15	2	3	1	16	14	2	...	...	2.10
Rochester,	65.46	58.74	54	86	32	2	3½	...	2½	1½	9	5½	6	21	9	4	...	...	1.89
St. Lawrence,	64.29	56.36	61	87	26	...	½	...	...	1½	23	1	4	18½	11½	4½	...	...	2.16
Schenectady,	63.66	60.64	50	82	32	...	...	½	4	13	...	8½	4	20	10	3½	...	...	2.96
Sem. of Gen. and Onei. Conferences, Springville,	62.17	57.50	86	93	27	...	...	...	2	4	9½	2	11½	19	11	4	...	...	4.45
Union,	64.56	60.33	59	87	28	½	2	...	4	½	7	4½	11½	13½	16½	4½	...	...	5.11
Union-Hall,	63.11	57.98	43	87	44	2	1½	½	½	6	9	4½	6	15	15	3½	...	...	1.38
Utica,	63.43	61.58	51	82	31	2½	4½	...	3	5	6	1	7½	15½	14½	7½	...	...	2.94
Oxford,	58.72	55.08	56	86	30	...	...	1½	6	6½	2	14	...	24	6	...	...	...	2.85
	60.93	57.66	70	87	17	4	...	...	1	10	5½	6½	3	14	16	7½	...	...	2.03

OCTOBER, 1834.

	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152	1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216	1217	1218	1219	1220	1221	1222	1223	1224	1225	1226	1227	1228	1229	1230	1231	1232	1233	1234	1235	1236	1237	1238	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248	1249	1250	1251	1252	1253	1254	1255	1256	1257	1258	1259	1260	1261	1262	1263	1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OCTOBER, (Continued.)

ACADEMIES.	THERMOMETER.				WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)					Rain gage.	
	Mean temperature.		Highest de- gree.	Lowest de- gree.	Range.	North.	N. East.	East.	E. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.	Rain.	Snow.		Rain & Snow.
	1st half.	2d half.																	
Oysterbay,	48.87	47.53	79	31	48	4	6	....	4	3½	6	1½	9½	19½	11½	6½	....	....	2.00
Palmyra,	51.86	43.63	72	27	45	....	....	....	....	....	....	....	....	....	....	1½	....	....	2.27
Pompey,	45.82	37.49	66	23	43	....	....	....	1	6½	8½	1½	13½	11	20	4½	....	....	2.89
Redhook,	54.56	42.77	74	24	50	14	2	1	....	14	10	1	....	14	17	4½	....	....	3.63
Rochester,	52.14	43.72	74	22	42	1	1½	....	1	2	15½	3½	4	14	17	4½	....	....	4.06
St. Lawrence,	46.52	36.66	71	14	57	3½	1½	....	6	5	....	3	13	16½	14½	5	....	....	3.56
Schenectady,	50.48	41.97	70	26	44	2	....	2	1½	4	....	7	10½	16	15	6	....	....	5.00
Sem. of Gen. and Onei. Conferences, Springville,	48.39	40.07	72	21	51	1	2½	1	....	1½	6	7	12	12	19	6	....	....	3.94
Union,	48.27	44.22	78	26	52	1	4	....	....	1½	7	5	34	10	21	6	....	....	5.36
Union-Hall,	51.83	41.04	76	20	56	5	2½	1	1½	8	3	1	....	14	17	4½	....	....	1.30
Union-Hall,	53.60	44.68	79	28	51	3	2½	1	1½	4	6½	1	11½	18½	12½	5½	....	....	2.59
Utica, ..	49.57	41.29	74	20	54	....	....	5½	2½	3½	2½	17	....	17	14	....	....	....	2.09
Oxford,	49.51	39.59	71	18	53	3	1½	....	½	5	5½	11½	4	10½	20½	7	2½	1	3.17

NOVEMBER, 1834.

TEMP., (NO. OF DAYS.)									
C.	Cloudy.		Rain.		Snow.		Rain & Snow.		Rain gauge.
13	17	17	6	1	1	1	1	1	1.37
12	18	18	7	1	1	1	1	1	1.18
12	19	19	4	2	2	2	2	2	2.79
74	22	22	3	3	3	3	3	3	2.05
11	19	19	5	1	1	1	1	1	1.05
114	184	184	5	3	3	3	3	3	3.11
8	22	22	6	1	1	1	1	1	2.64
4	26	26	5	1	1	1	1	1	1.97
124	174	174	3	4	4	4	4	4	2.62
184	114	114	2	1	1	1	1	1	1.50
16	14	14	4	1	1	1	1	1	3.83
29	10	10	6	1	1	1	1	1	1.30
17	13	13	14	2	2	2	2	2	.91
134	164	164	9	3	3	3	3	3	2.63
114	184	184	5	2	2	2	2	2	.65
124	174	174	2	3	3	3	3	3	1.51
13	17	17	14	1	1	1	1	1	1.16
14	15	15	24	1	1	1	1	1	1.77
11	19	19	3	1	1	1	1	1	1.70
104	134	134	2	3	3	3	3	3	1.07
114	184	184	4	4	4	4	4	4	1.58
13	17	17	4	1	1	1	1	1	.61
12	18	18	5	3	3	3	3	3	1.84
10	20	20	3	1	1	1	1	1	2.10
14	16	16	3	1	1	1	1	1	2.07
24	314	314	6	1	1	1	1	1	1.10
13	17	17	6	2	2	2	2	2	1.63
144	154	154	1	1	1	1	1	1	1.43
214	84	84	1	1	1	1	1	1	
12	17	17	14	1	1	1	1	1	

DECEMBER, 1834.

WEATHER, (NO. OF DAYS.)						Rain & Snow.	Rain.	Snow.	Rain & Snow.	Mean Temp.
Clear.	Cloudy.	Fog.	Thunder.	Storm.	Other.					
104	204	3	7	...	...	...	...	...	...	3.59
8	23	1	44	...	...	...	...	...	...	1.88
54	254	2	4	...	...	...	...	...	...	8.65
7	24	1	4	...	...	...	...	...	...	1.86
6	25	34	94	...	...	...	...	...	...	2.21
13	19	6	4	...	...	...	...	...	...	1.44
24	284	4	44	...	...	...	...	...	...	2.33
6	25	4	94	...	...	...	...	...	...	2.30
144	164	14	7	...	...	...	...	...	...	2.92
104	204	2	4	...	...	...	...	...	...	2.90
19	13	4	14	...	...	...	...	...	...	2.95
15	16	14	24	...	...	...	...	...	...	1.75
134	174	2	6	...	...	...	...	...	...	.95
10	21	4	64	...	...	...	...	...	...	.62
9	22	1	24	...	...	...	...	...	...	2.34
54	254	...	34	...	...	...	...	...	...	4.18
104	204	2	34	...	...	...	...	...	...	2.31
8	23	...	44	...	...	...	...	...	...	2.02
5	26	14	7	...	...	...	...	...	...	3.56
6	25	14	6	...	...	...	...	...	...	2.60
10	21	2	3	...	...	...	...	...	...	.08
24	214	14	2	...	...	...	...	...	...	.80
74	234	14	2	...	...	...	...	...	...	3.10
74	234	14	2	...	...	...	...	...	...	3.50
9	22	14	44	...	...	...	...	...	...	2.80
14	17	2	44	...	...	...	...	...	...	1.57
104	204	2	34	...	...	...	...	...	...	1.79
23	23	34	34	...	...	...	...	...	...
21	19	...	34	...	...	...	...	...	...

DECEMBER, (Continued.)

ACADEMIES.	THERMOMETER.			WINDS, (NO. OF DAYS.)							WEATHER, (NO. OF DAYS.)					Rain gage.			
	Mean temperature.		Range.	Highest de- gree.	Lowest de- gree.	North.	N. East.	East.	S. East.	South.	S. West.	West.	N. West.	Clear.	Cloudy.		Rain.	Snow.	Rain & Snow.
	1st half.	2d half.																	
Oysterbay,	36.06	30.66	51	56	5	2	64	...	...	14	84	34	11	15	16	24	34	...	1.47
Palmira,	30.53	23.94	46	49	3	...	34	3	4	1	44	8	5	44	284	...	1	...	.15
Pompey,	25.37	20.47	55	48	7	...	...	...	1	4	13	74	54	6	25	...	4	...	
Redbook,	31.81	21.00	56	50	6	144	24	...	...	64	14	1	4	64	244	2	24	...	
Rochester,	32.49	23.83	42	45	3	2	24	1	...	...	8	4	104	104	204	4	34	...	2.22
St. Lawrence,	22.45	10.12	67	45	22	74	104	...	...	14	4	1	134	8	23	...	44	...	.53
Schenectady,	30.50	20.26	56	46	10	14	...	...	3	4	1	6	94	7	24	1	3	...	.71
Sem. of Gen. and Onei. Conferences,	26.94	19.17	56	44	12	14	1	1	1	34	54	5	124	6	25	1	24	...	.30
Springville,	30.90	27.13	48	50	2	1	4	...	...	...	94	124	74	7	24	1	3	...	2.30
Union,	27.24	25.53	54	44	10	1	11	24	24	7	24	2	24	5	26	4	34	...	2.10
Union-Hall,	35.18	31.30	49	56	7	34	8	84	4	1	4	54	8	11	20	24	34	...	1.04
Utica,	28.98	19.34	57	49	8	...	...	...	5	...	4	134	...	114	194	...	...	...	.95
Oxford,	28.00	23.61	54	46	8	10	14	...	...	24	7	7	...	6	25	14	94	14	1.89
													3	2.79					2.79

RECAPITULATION AND RESULTS, NO. 1.

RECAPITULATION AND RESULTS, NO. 1, (Continued.)

RECAPITULATION AND RESULTS, NO. 2.

PREVAILING WINDS IN EACH MONTH.

ACADEMIES.

	January.	February.	March.	April.	May.	June.	July.	August.	Septem.	October.	Novem.	Decem.
Albany,	S	S	S	S	S	S	SE	S	S	S	W	NW
Auburn,	S&NW	S	S	NW	SW	S	SW	NW	S	S	NW	NW
Bridgewater,	W	S	S	E	W	S	W	W	S	S	NW	SW
Cambridge Washington, ..	N	SW	S	S	S	W	W	N	W	N	N	N
Canajoharie,	NW	W	W	...	...	NW	NW	NW	SE&NW	W	W	W
Canandaigua,	W	S	S	S	W&SW	SW	S	W	S	W	W	NW&W
Cayuga,	N	N	S	N	S	W	S	W	S	S	S	S
Cherry-Valley,	W	S	W	W	W	SW	W	W	W	S	NW	W
Clinton,	NW	NE	SW&NW	E	E	SW	SE&SW	E	E	NW	S	NW
Dutchess,	SE&NW	SE	SE	NE	SE	SE	SE	SE	SE	SE	SE	SE
Erasmus Hall,	NE	SW	SW	NE	NW	NW	SE	SW	SW	SW	NW	SE
Farmers' Hall,	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	NW
Fredonia,	W	W	W	W	SW	SW	W&NW	W	SW	W	SW	SW
Genesee,	NW	SW	SW	SW	SW	SW	SW	NW	SW	NW	SW	NE&SW
Granville,	SW	SW	SW	SW	SW	SW	SW	N	SW	SW	N	NW
Hamilton,	NW	NW	SW	N	SW	N	SW	N	SW	SW	NW	NW
Hudson,	NW	N	SE	N	SE	NW	S	S	NW	SE	NW	NW
Ithaca,	S	NW	S	...	S	N	S	...	...	S	N	S
Johnstown,	W	W	W	W	W	W	W	W	W	W	W	W
Kinderhook,	N	N	N	N	S	N	S	N	S	S	N	N
Kingston,	NW	NW	NW	NW	S	NE	S	SW	S	N	N	NE
Lansingburgh,	NW	S	S	NW	S	NW	S	NW	S	NW	NW	N
Lewiston,	SW	SW	SW	SW	SW	SW	SW	NW	S&SW	S	S	S
Middlebury,	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW
Montgomery,	NW	S	S	NE	NW	NW	SE&W	W	W	W	NE	W
Mount-Pleasant,	NW	S	SW	SW	S	NW	S	S	NW	NW	NW	NW
Newburgh,	SW	SW	S	NE	S	S	S	NE	S	S	NE	SW
North-Salem,	NW	NW	NW	NW	NW	W	SW	NW	W	W	NE&W	NW
Oneida Institute,	W	W	W	E	W	W	SW	NW	W	W	W	E
Oysterbay,	NE	NE	SW	NE	NE	SW	NE	NE	NE&SE	NW	SW	NW
Palmyra,	W	W	SW	SE	W	W	W	NE	SE	...	SW	W
Pempey,	NW	SW	SW	NW	SW	SW	...	NW	SW	NW	NW	SW
Redhook,	N	N	S	S	S	N&S	S	N	S	N&S	N	N

RECAPITULATION AND RESULTS, NO. 2, (Continued.)

ACADEMIES.	PREVAILING WINDS IN EACH MONTH.											
	January.	February.	March.	April.	May.	June.	July.	August.	Septem.	October.	Novem.	Decem.
Rochester,	W	W	W	W	W	W	NW	NE	SW	SW	NW	NW
St. Lawrence,	SW	SW	SW	NE	SW	SW&NW	SW	SW&NW	SW	SW	SW	NW
Schenectady,	NW	W	W	...	...	...	...	W	W	NW	NW	NW
Sem. of Gen. and Onsi. Conferences,	W	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW
Springville,	W	NW	W	NW	W	W	SW	W	NW	NW	NW	W
Union,	SW	S	S&SW	S&NW	W	W	SW	NW	SW	S	N	NE
Union-Hall,	NW	NE	NW	NW	S	NW	S	S	NW	NW	NW	NE&NW
Utica, ..	W	SE	W	E	W	W	SW	W	W	W	W	W
Oxford,	SW	S	W	NW	SW	NW	W	N&NW	S	W	NW	N

RECAPITULATION AND RESULTS, NO. 2, (*Continued.*)

RECAPITULATION AND RESULTS, NO. 2, (Continued.)

RECAPITULATION AND RESULTS, NO. 3.

ACADEMIES.	WEATHER, (NO. OF DAYS.)					RAIN GAGE FOR EACH MONTH.												Total fall of rain & snow.	Driest month in the year.	Wettest month in the year.
	Clear.	Cloudy.	Rain.	Snow.	Rain & Snow.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.			
Albany,	202	163	80	21	5	1.35	2.04	1.60	2.35	3.70	2.32	5.25	2.77	2.31	3.77	1.37	3.59	32.45	January,	July.
Auburn,	206	159	40	134	34	.78	1.38	1.00	1.30	2.82	3.42	2.25	2.35	4.14	2.20	1.18	1.88	24.70	January,	September.
Bridgewater,	1684	1964	42	24	1	4.19	1.26	1.98	2.63	2.16	3.50	3.27	2.26	4.42	3.01	2.79	8.63	40.12	February,	December.
Cambridge Washington, ..	178	187	464	13	14	1.41	1.70	2.43	2.58	2.56	2.74	2.68	1.37	3.47	4.21	2.05	1.96	29.18	August,	October.
Canajoharie, .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3.36	1.63	2.48	2.18	2.91	1.05	.....	.....	.....	.....
Canandaigua,	183	182	75	20	2	2.34	3.66	3.41	3.13	3.60	1.80	3.36	4.75	2.90	2.31	3.11	2.21	36.58	June,	August.
Cayuga,	141	224	354	15	.....	1.08	1.01	2.09	2.34	2.34	2.90	1.14	3.53	2.60	1.98	2.64	1.44	25.09	February,	August.
Cherry-Valley,	1874	1774	55	274	4	1.75	1.69	2.65	4.13	4.58	3.91	2.81	1.45	3.26	3.67	1.37	2.52	33.79	November,	May.
Clinton,	2304	1344	41	7	.....	2.99	1.52	.85	2.02	6.70	4.66	7.32	.29	4.47	4.32	2.62	2.36	38.92	August,	July.
Dutchess,	2114	1534	55	134	34	3.98	.55	1.25	2.62	3.18	4.07	1.88	.90	.....	2.36	1.50	2.92	.....	.....	.....
Erasmus Hall,	2404	1244	424	5	1	2.22	2.37	1.62	3.21	4.88	7.25	4.54	.45	2.20	2.70	3.83	2.90	39.48	August,	June.
Farmers' Hall, .....	.....	.....	.....	.....	.....	1.75	.48	1.60	3.30	3.50	6.72	4.16	.45	2.20	2.07	1.30	2.95	30.48	August,	June.
Fredonia,	1854	1794	.....	.....	.....	.....	.....	.....	.....	.....	3.68	3.62	3.45	3.59	3.90	.91	1.75	.....	.....	.....
Gouverneur,	207	158	364	184	14	1.17	1.19	1.93	1.85	2.52	5.79	.84	1.52	2.54	3.73	2.63	.95	26.66	July,	June.
Granville,	1824	1824	35	114	4	1.71	1.72	2.90	1.28	4.16	2.80	2.15	1.66	2.51	2.59	.65	.62	24.75	December,	May.
Hamilton,	189	176	.....	164	14	2.75	1.59	2.59	1.17	2.65	3.74	3.04	1.85	4.08	4.29	1.51	3.24	32.50	April,	October.
Hudson,	225	140	35	10	.....	1.45	.40	1.04	5.85	4.86	4.10	3.20	.95	.95	2.35	1.16	4.18	30.49	February,	April.
Ithaca, .....	.....	.....	.....	9	.....	.....	.....	1.05	1.80	2.86	3.59	2.60	1.53	3.53	2.89	1.77	.....	.....	.....	.....
Johnstown,	164	201	54	16	24	2.10	1.71	2.62	3.39	3.67	3.52	3.87	1.54	3.85	4.86	1.70	2.31	35.14	August,	October.
Kinderhook,	175	190	574	15	34	1.12	.53	.82	3.32	4.60	2.53	3.72	.78	1.41	4.63	1.07	2.02	25.95	February,	May.
Kingston,	203	162	43	12	.....	2.85	1.41	2.92	2.70	2.48	6.67	5.02	1.21	2.39	2.06	1.58	3.56	34.85	August,	June.
Lansingburgh,	195	170	69	94	2	.95	.33	1.82	2.55	3.04	2.87	3.24	1.53	1.90	4.02	.80	2.60	25.74	February,	October.
Lewiston,	1714	1934	45	20	.....	1.25	.71	2.29	1.46	.21	3.03	4.16	1.11	2.62	5.04	.61	.06	22.55	December,	October.
Middlebury,	213	152	394	104	14	1.45	.71	2.06	2.45	1.41	4.45	3.69	1.92	2.54	3.32	1.84	.80	27.44	February,	June.
Montgomery,	188	177	.....	10	24	1.40	1.45	2.35	1.75	3.45	6.33	2.86	.80	3.09	4.85	2.10	3.10	33.53	August,	June.
Mount-Pleasant,	219	146	614	6	1	1.74	.93	1.45	3.35	5.54	6.03	7.07	.35	4.25	2.89	2.07	3.50	29.17	August,	July.
Newburgh,	2044	1604	39	11	4	1.82	.54	1.08	2.80	2.96	6.92	2.09	.48	3.73	2.91	1.10	2.80	29.23	August,	June.
North-Salem,	248	117	48	11	.....	1.59	.92	1.98	4.36	4.44	7.02	4.45	.31	4.75	2.15	.83	1.57	33.50	August,	June.
Oneida Institute,	2244	1404	.....	.....	.....	2.40	1.31	2.26	2.50	2.28	2.92	3.35	1.44	1.23	2.60	1.42	1.79	25.48	September,	July.

RECAPITULATION AND RESULTS, NO. 3, (*Continued.*)

COMPARISON OF THE WARMEST AND COLDEST DAY IN EACH MONTH.

ACADEMIES.	January.		February.		March.		April.		May.		June.		July.		August.		September.		October.		November.		December.	
	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.
Onsida Institute,	17	24	22	12	18	3	16	10	27	15	21	2	8	12	7	27	4	29	18	25	4	15	8	14
Oysterbay,	18	25	20	7	20	23	15	27	24	15	9	5	26	30	12	30	4	29	2	15	7	15	6	14
Palmyra,	17	24	21	7	18	2	15	27	23	14	8	14	8	18	7	27	4	29	8	24	4	15	1	14
Pompey,	17	23	22	12	19	23	16	27	23	15	8	2	:	:	4	27	3	29	8	14	7	16	1	14
Redhook,	18	24	4	7	18	3	14	25	24	15	9	5	:	12	12	26	4	29	2	29	4	15	7	14
Rochester,	17	4	21	7	18	22	14	3	24	14	12	10	8	10	7	28	3	29	1	24	4	16	5	14
St. Lawrence,	17	24	21	7	18	21	15	24	30	14	8	14	25	29	11	28	4	29	13	15	4	15	1	14
Schenectady,	18	24	23	12	20	3	16	26	24	13	9	2	25	30	7	28	4	29	2	15	10	12	2	26
Sem. of G. & O. Con.,	17	24	22	7	20	21	14	25	23	15	23	2	9	29	7	27	4	29	17	13	7	15	1	14
Springville,	17	5	22	7	18	23	14	27	27	13	8	2	8	29	5	26	5	29	17	13	4	16	1	14
Union,	17	24	21	7	18	21	13	5	31	15	23	3	10	31	5	28	19	30	19	25	30	16	6	15
Union-Hall,	18	5	30	7	19	4	17	25	24	13	9	3	26	30	12	28	4	29	2	29	7	15	1	14
Union,	17	23	22	12	18	22	6	34	23	14	23	14	8	30	12	25	3	29	18	14	10	15	1	14
Oxford,	17	24	23	12	20	3	16	27	23	13	23	2	9	11	13	27	4	29	1	29	10	15	1	14

RECAPITULATION AND RESULTS, NO. 5, (Continued.)

IN EACH MONTH.

	August.		September.		October.		November.		December.	
	Highest.	Lowest.	Highest.	Lowest.	Highest.	Lowest.	Highest.	Lowest.	Highest.	Lowest.
Ossola Institute,	44	8	55	6	61	4	81	19	53	11
Oysterbay,	55	7	58	18	73	20	83	36	53	11
Palmyra,	53	8	64	11	68	12	73	30	58	17
Pompey,	42	9	55	1	57	4	84	23	63	17
Redhook,	46	2	46	3	50	16	84	30	50	10
Rochester,	48	3	63	1	66	8	83	23	60	17
St. Lawrence,	43	17	56	8	62	0	78	23	64	17
Schenectady,	48	8	54	6	66	10	86	23	57	8
Sum. of Gen. & One. Cou.,	44	13	57	4	62	5	78	35	53	11
Springville,	45	0	56	3	63	0	78	30	56	10
Union,	45	0	56	3	63	0	78	30	56	10
Union-Hall,	54	7	60	13	62	19	83	32	55	8
Utica,	46	0	56	0	63	3	76	19	50	11
Oxford,	45	14	56	8	64	6	81	19	60	12

RECAPITULATION AND RESULTS, NO. 7.

Comparative View of the Prevailing Winds for each of the last nine years, (so far as reported,) with the Prevailing Winds for the whole number of those years.

ACADEMIES.	PREVAILING WINDS IN EACH YEAR.									General pre- vailing winds.
	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	
Albany,	S	S	S	S	NW	S	S	S	S	South.
Auburn,.....	...	S	S	S	S	...	S	NW	NW	South.
Bridgewater, .....	...	...	...	...	...	...	...	W	W	West.
Buffalo, .....	...	...	...	...	...	...	...	...	...	Southwest.
Cambridge Washington, ..	...	SW	SW	SW	S	SW	S	S	N	South.
Canajoharie, .....	...	...	...	...	...	...	...	W	...	West.
Canandaigua, .....	...	...	...	...	...	...	...	S	W	West.
Cayuga, .....	...	S	...	...	S	S	S	...	S	South.
Cherry-Valley, .....	...	SW	W	...	W	W	W	...	W	West.
Clinton, .....	...	NW	E	NW	NW	NW	NW	NW	NW	Northwest.
Cortland, .....	...	...	...	...	...	...	S	S	...	South.
Delaware, .....	...	...	...	...	...	...	...	...	...	Southwest.
Dutchess, .....	...	...	SW	...	...	...	...	...	...	S SW & SE.
Erasmus Hall,	NW	...	SW	NW	NW	S	SW	SE	SE	Northwest.
Farmers' Hall, .....	...	NW	SW	NW	NW	NW	SW	NW	SW	Southwest.
Fairfield, .....	...	...	...	...	...	...	...	...	...	Northwest.
Fredonia, .....	...	NW	E	...	W	NW	NW	NW	...	West.
Franklin, .....	...	NW	...	NW	W	W	SW	...	W	Northwest.
Gouverneur, .....	...	...	...	...	W	NW	...	...	...	Southwest.
Granville, .....	...	...	...	...	...	W	...	SW	N	North.
Greenville,	NW	...	NW	...	...	...	...	...	...	Northwest.
Hamilton,	NW	NW	SW	NW	NW	NW	S	NW	SW	Northwest.
Hartwick,	NW	W	S	S	S	S	S	...	...	South.
Hudson, .....	...	NW	S	N	N	N	SE	SE	SE	N & SE.
Ilbaca, .....	...	...	S	...	NW	...	...	S	...	South.
Johnstown, .....	...	W	W	...	W	...	...	...	...	West.
Kinderhook, .....	...	...	...	...	S	S	...	...	...	South.
Kingston, .....	...	...	...	...	NW	NW	W	NW	N	Northwest.
Lansingburgh,	S	W	S	SW	S	S	S	S ₁	NW	South.

Comparative View of the quantity of Rain for each of the last nine years, (so far as reported,) with a general Mean, or Average for the whole number of those years.

[illegible]

MISCELLANEOUS OBSERVATIONS, NO. 1.

(PROGRESS OF VEGETATION.)

First thunder storm.—March 12, Auburn; March 20, Albany; February 23, Cambridge Washington; February 22, Canandaigua; March 21, Dutchess; February 23, Bridgewater; March 8, Erasmus Hall; Feb. 22, Gouverneur; Feb. 23, Granville; Feb. 21, Hamilton; April 19, Hudson; Feb. 23, Johnstown; March 20, Kinderhook; Feb. 15, Kingston; March 19, Lewiston; Feb. 22, Lowville; Feb. 15, Middlebury; Feb. 15, Montgomery; Feb. 15, Mt. Pleasant; Feb. 15, Newburgh; March 20, Oneida Institute; Feb. 22, Oxford; March 20, Palmyra; Feb. 22, Pompey; Feb. 22, Springville; Feb. 22, St. Lawrence; April 19, Union Hall; Feb. 21, Utica; Feb. 23, Cazenovia.

Blue birds first seen.—March 19, Auburn; Feb. 27, Erasmus Hall; March 6, Hamilton; Feb. 19, Hudson; Feb. 27, Kinderhook; Feb. 24, Montgomery; March 8, Oxford; March 23, Palmyra, March 28, Utica; March 18, Albany.

Robins first seen.—February 22, Auburn; March 12, Cambridge Washington; Feb. 19, Erasmus Hall; March 10, Hamilton; March 7, Hudson; March 17, Johnstown; March 5, Kinderhook; Feb. 19, Lewiston; March 19, Mt. Pleasant; March 4, Oxford; March 26, Palmyra; March 19, St. Lawrence; Feb. 20, Utica; March 19, Cazenovia.

Barn swallows first seen.—April 24, Clinton; May 7, Cazenovia; May 24, Delaware; April 21, Erasmus Hall; April 15, Gouverneur; May 1, Hamilton; April 22, Hudson; April 19, Johnstown; April 18, Kinderhook; April 22, Lansingburgh; April 24, Montgomery; April 21, North Salem; April 11, Oxford; May 8, Redhook; April 15, St. Lawrence.

Martins first seen.—April 12, Delaware; March 27, Erasmus Hall; April 4, Hudson; May 7, Lansingburgh; April 17, St. Lawrence.

Pigeons flying.—March 20, Hudson; April 4, Hamilton; April 14, Johnstown; April 19, Utica; March 23, Albany.

Fire-flies first seen.—June 20, Canajoharie; May 24, Cambridge Washington; June 9, St. Lawrence; June 22, Utica; June 18, Cazenovia.

Shad caught in the Hudson river.—April 5, Hudson; March 22, Newburgh.

Frogs first heard.—April 5, Cambridge Washington; April 4, Cazenovia; April 4, Bridgewater; April 5, Delaware; March 22, Erasmus Hall; March 19, Hamilton; March 19, Hudson; April 7, Johnstown; March 19, Kinderhook; Feb. 21, Kingston; Feb. 18, Lewiston; March 19, Middlebury; March 19, Mt. Pleasant;

March 19, Oxford; April 8, Palmyra; March 18, Springville; April 4, St. Lawrence; March 19, Utica.

Whipper-Will first heard.—May 20, Cambridge Washington.

Claytonia Virginica in flower.—April 5, Bridgewater.

Daffodils in bloom.—April 8, Fredonia; March 21, Erasmus Hall; April 16, Hamilton; April 15, Hudson; May 1, St. Lawrence; April 12, Utica.

Shad bush in bloom.—April 15, Canandaigua; May 4, Bridgewater; April 21, Delaware; April 17, Erasmus Hall; April 28, Gouverneur; April 17, Hudson; April 12, Middlebury; April 21, North Salem; April 19, Oneida Institute; April 18, Palmyra; May 9, Cazenovia.

Apricots in blossom.—April 18, Canandaigua; April 12, Hudson; April 14, Montgomery; April 12, Newburgh; April 14, Union Hall.

Strawberries in blossom.—May 1, Fredonia; May 1, Delaware; April 27, Hudson; Feb. 22, Middlebury; April 25, North Salem; May 4, Oxford; April 20, Oysterbay; April 26, Palmyra; May 1, Utica.

Violets first seen.—April 28, Dutchess; March 26, Erasmus Hall; April 2, Hudson.

Lilacs in blossom.—April 30, Dutchess; April 10, Delaware; May 4, Hudson; May 10, Newburgh; May 8, Union Hall.

Currants in blossom.—April 19, Cambridge Washington; April 27, Canandaigua; May 9, Clinton; April 11, Dutchess; May 12, Gouverneur; April 15, Hudson; April 19, Kinderhook; April 13, Kingston; April 12, Oneida Institute; May 1, St. Lawrence; April 23, Utica; May 10, Cazenovia.

Cherries in blossom.—May 5, Cambridge Washington; May 12, Clinton; April 23, Fredonia; April 22, Delaware; April 17, Erasmus Hall; April 17, Hudson; April 18, Lansingburgh; April 22, Montgomery; May 1, North Salem; May 9, St. Lawrence; April 17, Union Hall; April 20, Utica; May 9, Cazenovia.

Peaches in blossom.—April 26, Canandaigua; May 5, Clinton; April 10, Dutchess; April 19, Fredonia; April 15, Hudson; April 18, Kinderhook; April 15, Kingston; April 16, Middlebury; April 12, Montgomery; April 18, North Salem; April 10, Oysterbay; April 19, Palmyra; April 14, Union Hall.

Apples in blossom.—May 14, Canandaigua; May 21, Clinton; May 5, Fredonia; May 20, Hamilton; May 4, Hudson; May 3, Kinderhook; May 6, Kingston; May 3, Lansingburgh; May 11, Middlebury; May 7, Montgomery; April 24, North Salem; May 21, Oneida Institute; May 19, Oxford; April 24, Oysterbay; May 20, Pompey; May 10, Redhook; May 19, St. Lawrence; May 6, Union Hall; May 20, Cazenovia.

Quinces in blossom.—June 2, Canandaigua; May 9, Erasmus Hall; May 2, Hudson; May 21, Kinderhook; May 21, Redhook.

Pear in blossom.—May 11, Clinton; April 20, Hudson; April 23, North Salem; May 3, Oxford; April 23, Union Hall; May 7, Utica.

Plum in blossom.—April 15, Hudson; April 8, Johnstown; April

19, Kinderhook; April 16, Lansingburgh; April 16, Middlebury; April 19, North Salem; April 25, Oxford; April 19, Palmyra; April 20, St. Lawrence; April 21, Utica; May 8, Cazenovia.

Strawberries ripe.—June 16, Canajoharie; June 9, Clinton; June 6, Dutchess; June 1, Fredonia; June 14, Delaware; May 27, Erasmus Hall; June 2, Hudson; June 22, Kingston; June 15, N. Salem; June 23, Oneida Institute; June 9, Oxford; June 16, St. Lawrence; June 14, Utica; June 16, Cazenovia.

Peas in bloom.—June 22, Canajoharie; May 16, Fredonia.

Hay harvest commenced.—July 14, Canajoharie; July 10, Bridgewater; July 7, Hudson; July 12, Kingston; July 7, Montgomery; June 25, N. Salem; July 21, St. Lawrence; July 7, Union Hall; July 9, Utica; July 20, Cazenovia.

Indian corn in silk.—July 20, Canajoharie; July 9, Bridgewater; July 16, Hudson.

Cherries ripe.—July 9, Clinton; July 1, Hudson; July 1, Kingston.

Currants ripe.—July 11, Clinton; June 27, Hudson; June 22, Redhook; June 29, Union Hall.

Barley harvest.—July 19, Canajoharie.

Rye harvest.—July 12, Dutchess; July 26, Bridgewater; July 2, Hudson; July 14, Kingston; July 12, Lansingburgh. July 10, Union Hall.

Wheat harvest.—July 21, Auburn; July 28, Canajoharie; July 20, Clinton; July 18, Dutchess; July 30, Bridgewater; July 8, Erasmus Hall; July 8, Hudson; July 19, Kingston; July 22, Middlebury; July 14, North Salem; July 25, Oneida Institute; July 10, Oysterbay; July 23, Palmyra; July 18, Redhook; August 4, St. Lawrence; July 14, Union Hall; July 25, Utica; August 1, Cazenovia.

Green peas.—June 15, Fredonia; June 6, Hudson; June 20, Oxford; June 14, Utica; July 4, Cazenovia.

New potatoes.—July 4, Fredonia; June 29, Hudson; July 3, Utica.

Apples in market.—July 13, Hudson; Sept. 30, Lansingburgh.

Green corn.—July 21, Fredonia; June 30, Bridgewater; July 22, Hudson.

Peaches in market.—July 18, Hudson.

Indian summer.—Oct. 17, Delaware.

November 4.—A Norwegian owl shot three miles from this place; reckoned by the inhabitants a precursor of a very severe winter; Erasmus Hall.

MISCELLANEOUS OBSERVATIONS, NO. 2.**ATMOSPHERICAL PHENOMENA, &c.**

AURORA BOREALIS NOTICED.

January 7, at Albany.

January 28, at Johnstown.

February 7, at Lowville, Montgomery, St. Lawrence, Utica.

February 8, at Montgomery.

March 2, at Palmyra.

March 3, at Albany.

March 4, at Johnstown, Kinderhook, very brilliant, Kingston,
Pompey, Utica, Albany.

March 8, at Palmyra.

March 9, at Utica.

April 5, at Johnstown.

April 13, at Utica.

May 3, at Hudson, Johnstown, Cazenovia.

July 27, at Lewiston.

July 28, at Hudson, Utica.

August 11, at Lowville.

August 31, at Cambridge, Lewiston.

September 2, at Cambridge, Bridgewater, Johnstown, Palmyra.

October 1, at Albany.

October 3, at St. Lawrence.

October 4, at Middlebury.

October 5, at Middlebury.

October 8, very brilliant at Utica, Albany.

October 23, at Lewiston, Utica, Albany.

October 29, at Johnstown.

November 2, from 8 to 11 P. M., a very beautiful arch, extending
from N. E. to N. W. nearly, and upwards about 25°
from the horizon, at Auburn, Hudson, St. Lawrence,
Utica, Cazenovia, Albany.

November 3, at Cazenovia.

December 3, at Albany.

December 4, at Utica.

December 20, at Cazenovia.

December 21, at Johnstown, Utica, Albany.

December 22, at Clinton.

December 23, at Clinton.

HALOES, &c.

- January 6. Solar parhelia —Cazenovia.
 January 16. Lunar halo.—Kinderhook, Cazenovia, Albany.
 February 15. Lunar halo.—Utica.
 February 16. Lunar halo.—Utica.
 February 18. Lunar halo.—Kinderhook, Newburgh, Utica.
 February 22. Circle round the moon.—Johnstown.
 March 18. Circle round the moon.—Johnstown.
 March 23. Solar halo.—Cazenovia.
 April 18. Large lunar halo.—Kinderhook, Utica.
 April 25. Very bright halo round the sun.—Utica.
 April 26. Solar halo at 6 A. M.—Albany.
 July 18. Solar halo, during the greater part of the forenoon.—Albany.
 August 5. Solar halo at 5 P. M.—Oysterbay.
 August 8. Between 5 and 6 P. M. a mock sun, 45° north of the sun.—Cambridge Washington.
 September 24. Lunar halo.—Cazenovia.
 November 9. Lunar halo at 9 P. M.—Palmyra.
 November 13. Lunar halo.—Utica, Cazenovia.
 November 15. Lunar halo.—Kinderhook, Cazenovia.
 December 5. Lunar halo.—Johnstown, Kinderhook.
 December 9. Lunar halo.—Johnstown.
 December 10. Lunar halo.—Cazenovia.

ZODIACAL LIGHT.

- February 1, 2, 3. Beautiful zodiacal light in the evening.—Utica.
 March 3, 4. Utica.

METEORS.

- July 8. A very brilliant meteor passed at about 9 o'clock, towards the west. The train of light accompanying it, continued for two or three minutes.—Kingston.
 July 9. Splendid meteors in the southwest at 8 P. M.—Redhook.
 July 28. A meteor at half past 10 P. M. passed over the village towards the west, leaving a train of light for some distance.—Kinderhook.
 July 31. Meteor observed in a northeast direction, and very brilliant. When near the horizon, it burst into fragments.—Lewiston.
 December 25. At 8 P. M., a large and beautiful meteor descended, a short distance south of this village.—Kinderhook.

WEATHER.

- May 15, 16. The most remarkable circumstance was the severe frost that occurred on the 15th and 16th of May, and destroyed most of the fruit then in blossom. By

recurring to the table for that month, the degree of cold will be seen.

May 15. The most remarkable snow and frost that has ever been observed in this country at this season of the year. Snow so deep that sleighs were moving; icicles at midday hanging from roofs on the northerly side of buildings of a half a yard in length, and at 2 P. M., the ice on door steps in a northerly exposure, of the thickness of half an inch. Ground covered with snow—through the day. Apples, cherries, pears, currants and most fruits killed by the frost.—Utica.

July 21. At 9 in the evening a very severe thunder shower. Remarkable as being the first one ever observed in this city as coming directly from the north. It was thought remarkable, as exhibiting unusual electrical phenomena. The shower arose from two clouds at considerable distance from each other, and as the wind elevated the clouds, the lightning for about half an hour, appeared to play horizontally from one to the other. The flashes were unusually frequent and of intense redness.—Utica.

August 14. Between 4 and 5 o'clock P. M. a violent tornado accompanied with a heavy shower of hail and rain, and with uncommonly severe thunder and lightning, passed over this city. Its course from the west, following the Mohawk river. Churches and dwellings and other buildings were much damaged by the wind, and crops in the fields much injured by the hail.

Most of the thunder showers that passed through this valley during the summer past, were thought remarkable for unusual severity. Several buildings in the city were struck with lightning at different times, and two barns filled with hay and grain were burnt by the lightning, in towns adjoining.—Utica.

From the Oneida Whig, extra.—August 15, 1834. **TORNADO.**—It becomes our duty to notice one of the most extraordinary visitations which has ever been recorded in the annals of the Mohawk valley. Yesterday morning a very sensible alteration was perceived in the temperature of the air, it being much colder than it had previously been, and indeed the day resembled November more than August. A few hours soon produced an entire change—the air becoming heated and relaxing, and similar to the weather which has prevailed generally during this month. About 2 o'clock in the afternoon, the barometer began to fall, and from 2 until 4 o'clock fell about ten degrees; the thermometer falling at the same times with equal rapidity. At 4 o'clock a severe rain storm commenced, accompanied during its continuance, by a wind of terrific violence and pow-

er, which at times resembled in its aspect a West India hurricane. A short time after the rain commenced falling, a mist arose so dense that an object could not be discerned at thirty feet distance. Hail began to fall immediately afterwards, mingled with the rain, in large quantities of an unusual size. Situated as we were in Genesee-street, there was nothing alarming in the *blow*, although it was evidently one of unusual violence; we were entirely removed at this time from the scene of the devastation. As soon as the rain subsided, hearing rumors of the injury done, we proceeded to a survey. We first visited the Second Presbyterian church in Bleecker-street, the spire of which (about thirty feet in length above the tower) had been prostrated by the wind and lay in pieces on the ground. In its fall it encountered a corner of the church and produced some injury, but this was comparatively trifling.

On passing up Genesee-street we found indications of the violence of the storm that were truly appalling: in order to furnish a clear impression of its progress and violence, we will commence with the buildings on Court-street, being the most westerly. The house of Spencer Kellogg, Esq., on this street, was completely unroofed, the chimneys blown down and the upper part of the western wall destroyed, and the materials scattered around the dwelling; his wood-house was likewise unroofed, and other out-houses damaged. Proceeding south, we come to the residence of Thomas Rockwell, Esq., cashier of the Ontario Branch Bank, which was unroofed, but not otherwise injured materially. The house occupied by Horace Butler, Esq., on the corner of the same street and Genesee further south, was entirely unroofed and chimneys blown down, and the large beams supporting the roof broken, and the whole building seriously damaged. It is owned by Mr. Samuel Farwell. Going east down Genesee-street, we find no other building injured until we come to that of E. A. Wetmore, Esq., standing at the head of Seneca-street. Here the western chimney was blown down, the roof raised and shattered so as to be useless, and the main beam under the roof broken. This building (brick) is injured throughout. On the opposite (south) side of Genesee-street, further west, the brick dwelling house of Col. Dean was greatly injured, the roof being blown off—the parapet wall and one of his chimneys blown down.

The next building which was assailed going east down Genesee-street, is that of S. D. Childs, Esq., the wing roof of which is injured, we believe, irre-

parably. Further down, the entire roof of Mr. Augustus Hurlburt's brick house, recently erected in a very substantial manner, was blown off, shattered to pieces and chimneys blown down. A small wood house on the same street (occupied) was completely capsized, but no one injured. The spire of the 1st Presbyterian church on Washington-st., was struck by lightning and bent to an angle of thirty degrees. A brick house on Columbia-street, owned by J. C. Shippy, and occupied by Mr. R. Durkee, was entirely unroofed and the walls some injured. A house on Varick-street, occupied by a Mr. Hannah was struck by lightning, but no one injured. Mr. Bright's tannery was also struck but no essential damage done. Mr. Rowe's brick dwelling house on Fayette-street was a good deal damaged—the chimneys being blown down and the roof broken. The houses of R. B. Miller, A Seymour, C. P. and Joseph Kirkland, were somewhat injured and the chimneys blown down.

From the Cherry-Valley Gazette, August 19.—The tornado that unroofed houses in Utica on Thursday last, was very destructive at Van Horne's-ville, in the town of Stark, Herkimer county. The dwelling house of Daniel Van Horne, Esq., was unroofed and the frame nearly ruined. His store had part of its roof torn off and the frame injured. The windows were blown in. Two barns were unroofed and part of the hay and grain in them blown away. All the out-buildings and sheds were prostrated. The roof of the new mill is gone, and fences are all down. The trees of two orchards were torn up by the roots, and a great part of Mr. Van Horne's woodland destroyed. Part of the roof of the barn of Mrs. Van Horne, (widow of the late Richard Van Horne,) was blown off. Mr. Stansell's dwelling house was unroofed and badly damaged. His trip hammer, blacksmith shop, and barn, all down.

Considerable damage we hear was done east and west of Van Horne's-ville. No person was hurt as we have heard. Some hail fell and large lumps of ice, but they were few and scattered. The storm was not over a mile in width.

October 17. The atmosphere seemed loaded with smoky vapor, which gave it a light dingy hue. At 4 P. M., it was too dark to read in doors without a candle. In fine, the light of the sun was completely shut out by dark, dingy clouds. It rained in the evening and during the night, and on emptying the conical rain gage the next morning, the water was found colored, and a thick black sediment had settled at the bottom.—*St. Lawrence.*

RIVER HUDSON.

- February 24. River open; Albany. February 25, first steam-boat; Albany. December 15, river closed.—Albany.
 February 21. River open. 22, sloops; Hudson. December 15, river closed.—Hudson.
 December 14. River closed.—Kingston.
 January 3. Last steam-boat; Poughkeepsie. February 22, first steam-boat.—Poughkeepsie.
 January 3. River obstructed by ice—never completely closed; Newburgh. February 21, steam-boat; Newburgh. December 26, obstructed by ice.—Newburgh.

RIVER MOHAWK.

- February 19. Clear of ice.—Utica.

GREAT WESTERN CANAL.

- April 17. Canal navigation open.—Utica.—Oneida Institute.
 December 13. Canal navigation closed.—Utica.

LAKE ERIE.

- April 10. First steam-boat from Buffalo to Dunkirk. Large masses of ice still floating.—Fredonia.

LAKE LINCKLAEN.

- March 18. Lake open. December 15, lake closed.—Cazenovia.

TEMPERATURE OF WELLS.

- August 14. Temperature 52°, in academy well, 12 feet deep, with 13 inches of water.—Cambridge, Washington.
 July 26. Temperature 50°, in a well, 21 feet below the surface.—Kingston.
 July 12. Temperature 48°, in a well twenty feet deep.—Middlebury.
 August 5. Temperature 51°, in a well twenty feet deep. December 31, in a well twenty feet deep, just above the water, temperature 31°.—Newburgh.
 July 8. In a well, twenty-four feet deep, the temperature of the air at the surface of the water was 56°, the temperature of the water 47°.—Oxford.

ECLIPSE.

- November 30. During the obscuration, the thermometer fell 4°.—Bridgewater. Fell 16°.—Delaware. From 65° to 46°.—Hudson. From 49° to 40°, and rose to 60° exposed in the sun, as the eclipse drew to a close.—Kinderhook. Fell 2° and remained stationary until evening.—Cazenovia.

November 30. Eclipse of the Sun.—During the whole of this phenomenon, there was a strong breeze, varying from W. by S. to W. by N. At its commencement, the southern half of the heavens were covered with fleecy clouds; but so thin, that the sun's rays concentrated by a lens, 1½ inches in diameter, and 3 inches in focal distance, caused spunk to burn in 15 seconds. At 1 P. M., a 6 inch thermometer of Pike's make, stood at 47½° in the shade; the Regent's thermometer stood at 48½°. The following is the result of our observations on the thermometer. Owing to an accident which happened to our time-keeper at the beginning of the eclipse, our time is not entirely accurate.

		Pike's Thermo-	Regent's Thermo-		Remarks.	
		meter in the	meter in the			
h.	m.	shade.	deg.	shade.	deg.	
1.	6	.....	59½	.....	48½	Sun partially obscured.
1.	12	.....	61½	.....		Sun unobscured.
1.	19	.....	58	.....		Sun partially obscured.
1.	21	.....	59	.....	
1.	23	.....	60	.....	
1.	26	.....	61	.....	
1.	28	.....	61½	.....		Sun unobscured.
1.	30	.....	60½	.....	
1.	53	.....	49½	.....	47½	Spunk ceases to burn, and
1.	58	.....	48	.....		Sun partially obscured.
2.	2	.....	47½	.....	
2.	6	.....	47	.....	
2.	10	.....	46	.....	
2.	14	.....	45½	.....	47½	
2.	17	.....	45	.....	
2.	23	.....	44	.....	47	Ras Athagus seen.
2.	25	.....	43½	.....	45	
2.	28	.....	42½	.....		Lowest point of thermo. in the sun.
2.	32	.....	45	.....	44½	Sun unobscured, lowest point of
2.	34	.....	45½	.....		[thermo. in the shade.
2.	39	.....	47	.....	
2.	44	.....	46½	.....	45	
2.	59	.....	46½	.....	45½	
3.	1	.....	47	.....	46	Spunk burns.
3.	5	.....	48½	.....	46½	
3.	13	.....	49½	.....	46	
3.	17	.....	49½	.....	46½	
3.	21	.....	49	.....	46	
3.	23	.....	49½	.....	
3.	25	.....	49	.....	47	
3.	27	.....	49½	.....	
3.	32	.....	48½	.....	
3.	37	.....	48	.....	
3.	42	.....	49	.....	47	

TABLE, showing the comparative results obtained by the Common and Conical Rain Gages.

<i>Academies.</i>	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.
Albany,	Common, . . . . .	. . . . .	. . . . .	2.35	3.70	2.32	5.25	2.77	2.34	3.77	1.37	
	Conical, . . . . .	. . . . .	. . . . .	2.30	3.38	2.22	5.02	2.70	2.32	3.69	1.29	
Bridgewater,	Common, . . . . .	. . . . .	. . . . .	2.63	. . . . .	. . . . .	3.27	2.17	4.42			
	Conical, . . . . .	. . . . .	. . . . .	2.57	. . . . .	. . . . .	3.14	2.26	4.33			
Clinton,	Common, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	4.66	0.24	0.28	4.47	4.32	2.62	
	Conical, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	4.19	0.48	0.26	4.05	3.84	2.35	
Delaware,	Common,	0.90	0.76	. . . . .	2.89							
	Conical,	0.85	0.72	. . . . .	2.55							
Erasmus Hall,	Common, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	7.43	4.66	0.90	3.01	2.70	3.92	
	Conical, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	7.25	4.54	0.90	3.05	2.70	2.51	
Hamilton,	Common, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	3.74	3.04	1.85	4.08			
	Conical, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	3.85	3.09	1.85	4.04			
Ithaca,	Common, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	2.60	1.53	3.53			
	Conical, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	2.63	1.71	3.58			
Johnstown,	Common, . . . . .	. . . . .	. . . . .	. . . . .	3.67	3.52	3.87	1.54	3.85	4.86	1.70	
	Conical, . . . . .	. . . . .	. . . . .	. . . . .	3.63	3.37	3.54	1.45	3.79	4.73	1.61	
Laussingburgh,	Common, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	3.24	1.53	1.99			
	Conical, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	3.10	1.43	2.03			
Lewiston,	Common,	1.25	0.71	2.29	0.91	3.03	4.16	1.11	2.62	5.04	0.61	0.06
	Conical,	1.29	0.74	2.34	0.93	3.08	4.19	1.17	2.79	5.24	0.76	0.08

Lowville,.....	Common,.....	.....	.....	.....	.....	1.22	2.08	1.87	2.50	2.09	3.79	2.38	
	Conical,.....	.....	.....	.....	.....	1.19	2.08	1.83	2.43	2.00	3.85	2.30	
Newburgh,.....	Common,.....	1.82	0.54	1.08	2.80	2.96	6.92	2.09	0.48	3.73	2.91	1.10	2.80
	Conical,.....	1.72	0.54	1.05	2.66	2.85	6.02	1.94	0.47	3.56	2.74	1.02	2.67
North Salem,....	Common,.....	1.52	0.82	1.22	4.38	4.44	7.02						
	Conical,.....	1.52	0.82	1.28	4.38	4.44	7.02						
Oxford,.....	Common,.....	0.93	1.29	0.96	1.57	3.27	4.73	3.59	3.43	2.08	3.17		
	Conical,.....	0.92	1.40	1.03	1.62	3.17	4.47	3.41	3.37	2.01	3.15		
Palmyra,.....	Common,.....	1.09	0.08	0.41	0.48	2.34	1.39	1.57	2.02	3.16			
	Conical,.....	1.09	1.08	0.42	0.49	2.34	1.39	1.57	2.04	3.08			
St. Lawrence,....	Common,.....	.....	.....	.....	.....	.....	3.81	2.53	1.90	2.16	3.56	.....	0.71
	Conical,.....	.....	.....	.....	.....	.....	3.56	2.34	1.34	2.00	3.42	.....	0.64
Union Hall,.....	Common,.....	1.74	2.02	1.00	3.22	3.67	6.41	6.17	1.06	2.94	2.59	2.29	0.95
	Conical,.....	1.66	2.16	1.11	3.31	3.68	6.37	6.48	1.13	2.95	2.62	2.39	0.84
Utica,.....	Common,.....	.....	.....	.....	.....	.....	5.99	3.20	2.97	2.85			
	Conical,.....	.....	.....	.....	.....	.....	5.31	2.93	2.61	2.53			
Seminary of G. &	Common,.....	1.56	1.38	2.51	2.48	3.42	5.10	1.80	2.32	4.45	3.94	2.38	2.30
O. Conferences,.	Conical,.....	1.38	1.15	2.02	2.28	3.25	4.97	1.77	2.25	4.33	3.88	2.36	2.20

A CATALOGUE

Of plants indigenous and cultivated, found in the vicinity of Erasmus Hall.

<i>Acer rubrum,</i>	<i>Andropogon virginicus,</i>
<i>saccharinum,</i>	<i>Anemone hortensis,</i>
<i>Achillea millefolium,</i>	<i>virginiana,</i>
<i>Acorus calamus,</i>	<i>thalictroides,</i>
* <i>Actea rubra,</i>	<i>Anethum graveolens,</i>
<i>alba,</i>	<i>foeniculum,</i>
<i>Adiantum pedatum,</i>	<i>Angelica archangelica,</i>
<i>Adonis autumnalis,</i>	<i>atropurpurea,</i>
<i>Aesculus hippocastanum,</i>	<i>Anthemis nobilis,</i>
<i>Agaricus flavidus,</i>	<i>cotula,</i>
<i>pulvinatus,</i>	<i>Anthoxanthum odoratum,</i>
<i>comatus,</i>	<i>Antirrhinum clatine,</i>
<i>cinereus,</i>	<i>linaria,</i>
<i>domesticus,</i>	<i>majus,</i>
<i>narcoticus,</i>	<i>Apium petroselinum,</i>
<i>gracilis,</i>	<i>graveolens,</i>
<i>tomentosus,</i>	<i>Apocynum androsæmifolium,</i>
<i>Agrostemma githago,</i>	<i>Aquilegia vulgaris,</i>
<i>coronaria,</i>	<i>canadensis,</i>
<i>Allium porrum,</i>	<i>Arctium lappa.</i>
<i>sativum,</i>	<i>Arenaria lateriflora,</i>
<i>fragrans,</i>	<i>Argemone mexicana,</i>
<i>vineale,</i>	<i>Aristida dichotoma,</i>
<i>canadense,</i>	<i>Aristolochia serpentaria,</i>
<i>cepa,</i>	<i>Armeniaca vulgaris,</i>
<i>schonnoprasum,</i>	<i>Aronia botryapium.</i>
<i>Alnus serrulata,</i>	<i>Artemisia abrotanum,</i>
<i>Althea officinalis,</i>	<i>absynthium,</i>
<i>rosea,</i>	<i>Arum dracontium,</i>
<i>Amaranthus albus,</i>	<i>dracunculus,</i>
<i>melancholicus,</i>	<i>triphyllum,</i>
<i>tricolor,</i>	<i>Asarum canadense,</i>
<i>lividus,</i>	<i>Asclepias syriaca,</i>
<i>Amaryllis atamasco,</i>	<i>incarnata,</i>
<i>formosissima,</i>	<i>quadrifolia,</i>
<i>Amygdalus persica,</i>	† <i>tuberosa,</i>
<i>nana,</i>	<i>Asparagus officinalis,</i>
<i>Anchusa officinalis,</i>	<i>Asphodelus luteus,</i>
<i>Andropogon nutans,</i>	<i>Arundo donax,</i>

* The *actea rubra* has long been used as a domestic remedy by some families in this country for intermittent and bilious fevers. It has also been successfully employed in chorea.

† One of our most valuable native expectorants.

Aster sinensis,
 subulatus,
 ceruleus,
 anemoniflora,
 linariifolius,
 nova-angliæ,
 macrophyllus,
 novi-belgii,
 puniceus,
 gradiflorus,
Atropa belladonna,
Avena sativa,
 sterilis,
Azalea nudiflora,
 nitida,
 glauca,
Bellis perennis,
Barbaris vulgaris,
 canadensis,
Beta vulgaris,
 cicla,
Betula papyracea,
 lenta,
Bignonia radicans,
Boletus ignarius,
Borago officinalis,
Brassica napus,
 rapa,
 oleracea,
Bromus secalinus,
Buxus sempervirens,
Cactus opuntia,
Calendula officinalis,
Callistachia virginica,
Caltha palustris,
 ficarioïdes,
Calycanthus floridus,
Campanula grandiflora,
 medium,
 speculum,
 perfoliata,
Cannabis sativa,
Capsicum annum,
Carex sterilis,
Carthamus tinctorius,
Carum carui,
Carya sulcata,
 squammosa;
 porcina,
Cassia senna,

Cassia marilandica,
 chameachrysa,
 nictitans,
Castanea americana,
Catalpa syringaefolia,
Celastrus scandens,
Centaurea cyaneus,
 benedictus,
 centaurium,
 mos-hata,
Cephalanthus occidentalis,
Cerastium vulgatum,
Cercis canadensis,
Cherianthus cheiri,
 annuus,
Cheladonium majus,
Chelone glabra,
Chenopodium botrys,
 scoparium,
Chimaphila umbellata,
 spinosa,
Chionanthus virginica,
Chrysanthemum parthenium,
Chicorium intibus,
 endivia,
Cicuta virosa,
Cistus canadensis,
Clavaria palmata,
Claytonia virginica,
Clematis viticella,
 flammula,
Cleome dodecandra,
Clethra alnifolia,
Cnicus lanceolatus,
 arvensis,
Cochlearia armoracia,
Conserva floccosa,
 capillaris,
***Convallaria multiflora,**
 racemosa,
 bifolia,
 majalis,
Convolvulus arvensis,
 batatus,
 jalapa,
Coreopsis tripteris,
Coreanopum sativum,
Cornus florida,
 sanguinea,
 sericea,

* The root of this plant is an excellent remedy for toothache.

<i>Corylus avellana</i> ,	<i>Fragaria virginiana</i> ,
<i>americana</i> ,	<i>canadensis</i> ,
<i>Crataegus punctata</i> ,	<i>Fraxinus acuminata</i> ,
<i>crus-galli</i> ,	<i>sambucifolia</i> ,
<i>oxyacantha</i> ,	<i>pubescens</i> ,
<i>Crocus officinalis</i> ,	<i>epiptera</i> ,
<i>Crotalaria sagittalis</i> ,	<i>Fuscia magellanica</i> ,
<i>Cucubalis behen</i> ,	<i>Fucus vesiculosus</i> ,
<i>Cucumis anguria</i> ,	<i>lorens</i> ,
<i>melo</i> ,	<i>Fuligo rufa</i> ,
<i>sativus</i> ,	<i>flava</i> ,
<i>Cupressus thyoides</i> ,	† <i>Galega virginiana</i> ,
<i>Cymbidium pulchellum</i> ,	<i>Galeopsis tetrahit</i> ,
<i>Cynara scolymus</i> ,	<i>Galium trifidum</i> ,
<i>Cynoglossum officinale</i> ,	<i>Gaultheria procumbens</i> ,
<i>Cynodon dactylon</i> ,	<i>Gentiana saponaria</i> ,
<i>Cypripedium spectabile</i> ,	<i>Geranium maculatum</i> ,
<i>humile</i> ,	<i>Gerardia purpurea</i> ,
<i>Danthonia spicata</i> ,	<i>Glechoma hederacea</i> ,
<i>Daphne mezereum</i> ,	<i>Glycine apios</i> ,
<i>Datura stramonium</i> ,	<i>Gomphrena globosa</i> ,
<i>Daucus carota</i> ,	<i>Gratiola aurea</i> ,
<i>communis</i> ,	<i>Hamamelis virginica</i> ,
<i>Delphinium consolida</i> ,	<i>Hedeoma pulegioides</i> ,
<i>ajacis</i> ,	<i>Hedysarum canadense</i> ,
<i>exaltatum</i> ,	<i>rotundifolium</i> ,
<i>staphisagria</i> ,	<i>Helenium autumnale</i> ,
<i>Diervilla humilis</i> ,	<i>Helianthus annuus</i> ,
<i>Digitalis purpurea</i> ,	<i>tuberosus</i> ,
<i>Dionaea muscipula</i> ,	<i>Heliotropium indicum</i> ,
<i>Diospyros virginiana</i> ,	<i>Hepatica triloba</i> ,
<i>Dipsacus fullonum</i> ,	<i>Hesperis tristis</i> ,
<i>Dracocephalum virginianum</i> ,	<i>matronalis</i> ,
<i>Dracocephalum canariense</i> ,	<i>Hibiscus palustris</i> ,
<i>Eleusine indica</i> ,	<i>syriacus</i> ,
<i>Elymus villosus</i> ,	<i>esculentus</i> ,
<i>Epilobium spicatum</i> ,	<i>virginicus</i> ,
* <i>Equisetum arvense</i> ,	<i>trionum</i> ,
<i>Erigeron canadense</i> ,	<i>Hierochloa odorata</i> ,
<i>Erodium ciconium</i> ,	<i>Hordeum vulgare</i> ,
<i>moschatum</i> ,	<i>Hydnum imbricatum</i> ,
<i>Erythronium dens-canis</i> ,	<i>Hydrophyllum virginicum</i> ,
<i>Eupatorium purpureum</i> ,	<i>Hypericum ascyroides</i> ,
<i>verticillatum</i> ,	<i>perforatum</i> ,
<i>perfoliatum</i> ,	<i>Hypnum sylvaticum</i> ,
<i>Fedia olitaria</i> ,	<i>Hypoxis erecta</i> ,
<i>radiata</i> ,	<i>Hypopis officinalis</i> ,
<i>Fothergilla alnifolia</i> ,	<i>Iberis umbellata</i> ,
<i>Fragaria vesca</i> ,	<i>Ictodes foetida</i> ,

* This plant is said to be diuretic and a decoction is used for dropsies.

† The roots are used in a decoction as a powerful anthelmintic.

Ilex opaca,
 Impatiens balsamina,
 nolitangere,
 Inula helenium,
 Ipomœa quamoclit,
 purpurea,
 Iris pumila,
 plicata,
 virginica,
 Juglans regia,
 nigra,
 cinerea,
 Juncus effusus,
 acutus,
 Juniperus sabina,
 Kalmia latifolia,
 angustifolia,
 glauca,
 Krigia virginica,
 Lamium garganicum,
 Lathyrus odoratus,
 latifolius,
 Laurus benzoin,
 sassafras,
 Lavendula spica,
 Lavatera thuringiaca,
 Leontodon taraxicum,
 Leonurus cardiaca,
 Ligusticum levisticum,
 vulgare,
 Liliu superbu,
 candidu,
 candense,
 Limnetis juncea,
 Linu usitatissimu,
 Liquidambar styraciflua,
 Liriodendron tulipifera,
 Lobelia cardinalis,
 puberula,
 Lonicera caprifolium,
 fraseri,
 periclimenum,
 Lunaria aruna,
 rediviva,
 Lupinus perennis,
 hirsutus,
 luteus,
 Lychnis chalcedonica,
 flos-cuculi,
 Lysium barbaru,

Lycoperdon bovista,
 pratense,
 Lycopodium complanatu,
 Lysimachia racemosa,
 Macrotis serpentaria,
 Magnolia glauca,
 acuminata,
 tripetala,
 Malva rotundifolia,
 crispa,
 moschata,
 Marumbium vulgare,
 Melissa officinalis,
 Mentha viridis,
 piperita,
 Mitchellia repens,
 diphylla,
 Mollugo verticillata,
 Monotropa uniflora,
 Morus alba,
 nigra,
 rubra,
 Mucor aspergillus,
 mucedo,
 caninus,
 Myosotis Arvensis,
 Myrica cerifera,
 Myrtus communis,
 Nepeta cataria,
 Nicotiana tabacum,
 Nuphar lutea,
 Nymphaea odorata,
 Nyssa villosa,
 Oenothera biennis,
 chrysantha,
 grandiflora,
 Orchis flava,
 Origanum vulgare,
 *Orobanche uniflora,
 Oxalis acetosella,
 violacea,
 stricta,
 Panax quinquefolia,
 Panicum crus-galli,
 Pastinaca sativa,
 Pedicularis canadensis,
 Peltidea scutata,
 Pentstemon pubescens,
 Phalaris americana,
 Phallus impudicus,

* Much used in domestic practice for cataplasms.

Phleum pratense,	Rhus toxicodendron,
Phlox paniculatum,	Ribes rubrum,
pyramidalis,	nigrum,
maculata,	triflorum,
subulata,	Robinia pseudo-acacia,
Phytolacca decandra,	hispida,
Pinus balsamea,	Rosa corymbosa,
fraseri,	parviflora,
strobilus,	rubiginosa,
larix,	canina,
Plantago major,	Rubus ideus,
lanceolata,	strigosus,
Platanus occidentalis,	occidentalis,
Poa pratensis,	villosus,
compressa,	trivialis,
Pogonia ophioglossoides,	Rumex crispus,
Polygonum erectum,	sanguineus,
*tenue,	patientia,
persicaria,	acetosa,
orientale,	Sagittaria sagittifolia,
fagopyrum,	Salix candida,
scandens,	tristis,
Polypodium vulgare,	vitellina,
Populus tremuloides,	Salvia officinalis,
angulata,	Sambucus canadensis,
dilatata,	pubescens,
Portulacca oleracea,	Sanguinaria canadensis,
Potamogeton natans,	Saponaria officinalis,
Potentilla norwegica,	Saxifraga virginensis,
canadensis,	Schoenus setaceus,
Poterium sanguisorba,	Scutellaria galericulata,
Prinos vulgaris,	Secale cereale,
Prunus virginiana,	Sedum telephium,
chicasa,	anacampseros,
Pteris aquilina,	Silene antirrhina,
Puccinia graminis,	pennsylvanica,
Pyrola rotundifolia,	virginica,
Pyrus coronaria,	armeria,
Quercus tinctoria,	Sisymbrium nasturtium,
discolor,	Solanum dulcamara,
coccinea,	Spigelia marilandica,
rubra,	† Statice limonum,
palustris,	Stipa avenacea,
alba,	Tanacetum vulgare,
Ranunculus acris,	Teucrium canadense,
Rhexia virginica,	Thalictrum dioicum,
Rhus typhium,	Thlaspi bursa-pastoris,
glabrum,	Thymus serpyllum,
vernix,	Tilia glabra,

* A valuable astringent in diarrhea.

† One of our most valuable astringents and much used for diarrhea.

Tradescantia virginica,
Tricophorum cyperinum,
Trichostema dichotoma,
Trientalis europæa,
Trifolium pratense,
 repens,
 arvense,
 recumbens,
Trillium erectum,
Tuber cibarium,
Tussilago farfara,
Ulmus americana,
 fulva,
Uredo rosae,
 linearis,
 candida,
 segetum,
Urtica dioica,

Urtica canadensis,
Uvularia perfoliata,
Vaccinium dumosum,
 corymbosum,
Verbascum thapsus,
Verbascus flava,
Verbascum alba,
Veronica officinalis,
 serpyllifolia,
Viola odorata,
 palmata,
 cucullata,
 tricolor,
 canadensis,
 pubescens,
Vitis vinifera,
 labrusca,
 cordifolia.

This catalogue is not by any means complete, as representing all the plants found in this vicinity, there being several important divisions of the vegetable kingdom, in which only few are named, but it contains all those most ordinarily found, and which I have had leisure to collect.

JOHN B. ZABRISKIE.

Flatbush, Dec. 24th, 1834.

METEOROLOGICAL OBSERVATIONS FOR 1834,

Made at Augusta,* Illinois, lat. 40° 11', long. 13° 57' from Washington city, by Dr. Samuel B. Mead, and communicated by him.

Months.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Remarks.
Mean temp. of													First thunder storm, March 7.
1st half month,	17.76	45.25	45.70	57.13	56.73	70.27	75.50	80.33	67.33	56.83	58.80	37.46	Head frost, May 14; ther. 36 deg.
Do 2d half, ..	24.00	43.71	44.91	58.66	67.18	71.03	79.68	74.47	60.74	55.57	39.00	36.06	Strawberries ripe, May 31.
Do whole mo.	20.88	44.48	45.80	57.90	61.95	71.10	77.59	77.40	64.03	56.25	48.90	36.76	Shad bush in flower, April 12.
Ther. lowest, ..	-23.	10	20	29	36	53	59	53	32	28	23	12	(Cercus canadensis, April 18.
do highest, ..	49	76	78	82	86	90	94	96	92	83	65	60	Pyrus canadensis, April 26.
Range,	73	66	58	53	50	38	35	45	60	55	62	48	harvest, June 1.
Days fair, ...	18	16	22†	20	30	31	25	25	19	23	17	18	first, August 1.
“ cloudy, ..	9†	9	5†	6†	7	4	3†	4†	5†	5	8	11	second ripe, August 10.
“ rain,	1	2†	3	3†	4	5	2†	1†	5†	3	5	1	not for rearing, August 5.
“ snow, ...	3†	†	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	lost, Sept. 11.
													sow, December 2.
													apple in leaf, April 13.
													do do { April 14,
													black haw, { April 14,
													green, April 20.

* Probably 500 feet above tide water.

† February and March rainy-season; heavy rains.

The thermometer was placed in the house, but had a free circulation of external air around it. Only two observations were made a day, when the mercury was at the lowest (sunrise) and at the highest point between 2 and 3 o'clock P. M. Mean temperature of the year, 55.21°.

Synopsis of a Meteorological Journal kept in the city of New-York, during the years 1833 and 1834, by W. C. Redfield. (Communicated by the author.)

The annual report of the meteorological observations which are made at the several academies in the State of N. York, under the direction of the Regents of the University, is justly valued as comprising the most extensive system of cotemporaneous observations that has yet been placed within the reach of scientific inquirers. A desire to add in some degree to the mass of information contained in this document has induced the communication to the honorable Regents the observations and remarks which follow.

The meteorological journal from which the observations are compiled, has been kept in the city of New-York, from which locality returns do not appear to have been usually made to the Regents. Besides the usual notices of temperature and winds, care has been taken to observe with particularity and precision the direction of the more elevated currents of the atmosphere as indicated by the movements of the clouds, with a view to ascertain the connexion, if any, which exists between the movement of the surface winds, and the higher current. It was also desired to afford to some extent by these observations the means of ascertaining the consecutive character, in a geographical view, of those atmospheric changes which are so constantly experienced; of which, apparently, so little is understood.

These observations have accordingly been made at frequent periods, commencing with the hour of 6 A. M., and ending with 10 P. M.

With the same objects in view the state of the barometer, so interesting in its connexion with the vicissitudes of weather, has been duly noted at the same periods.

The following table exhibits the results of the observations of the surface winds, and also of the more elevated current, or main wind, as indicated by the highest observed movement of the clouds.

TABLE OF RESULTS.

Observations for the year 1833.	Surface winds.				Highest observed currents.			
	From the N. eastern quarter, including N.	From E. to S. including E.	From S. to W. including S.	From W. to N. including W.	From the N. E. qr. including N.	From the S. E. qr.	From the S. W. qr.	From N. W. qr.
January,	32	9	59	35	5	6	46½	30½
February,	22½	5½	48½	57½	1	1	45½	48½
March,	29½	21	49½	47	4	4	53	25
April,	22	26½	63½	23	4	3	65½	28½
May,	41½	55½	32	13	3	3	77½	28½
June,	15	33	45	47	0	1	40	68
July,	15	16½	74	40½	5	2	65	54
August,	28½	30½	59	31	1½	3½	83½	35½
September,	25½	13½	64½	29½	9	3	89½	20½
October,	15½	23	54	44	12	5	77	33
November,	23	11	74	36	5	4	62	26
December,	79½	1	23	43½	28	1	53½	25½
	349½	246	646	447	77½	36½	758½	423½

From the above table it will be seen that the total of easterly winds observed during the year reckoned in periods of four hours each, is..... 595½

Total of westerly winds,..... 1,093

The prevailing winds are the southwesterly. But the predominance of westerly wind at the surface is far less striking than that which is exhibited by the upper wind, or main atmospheric current, the observations of which it will be seen are as follow:

Easterly, 114

Westerly,..... 1,182

The prevailing upper current, or natural wind is also southwesterly.

Proportion of westerly surface wind in 1,000,..... 647

“ “ upper wind in 1,000,..... 912

Observations for the year 1834.	Surface winds.				Highest observed current.			
	N. E. quarter.	S. E. quarter.	S. W. quarter.	N. W. quarter.	From N. E. quarter.	S. E. quarter.	S. W. quarter.	N. W. quarter.
January,.....	38	11	52	57	4	4	59	30
February,.....	43	16	35	29	7		56	20
March,.....	19	15	70	39	3		75	22
April,.....	47	17	44	26	5		54	24
May,.....	25	25	61	35	9		55	31
June,.....	22	27	62	36	11		54	32
July,.....	32	13	88	9	2		100	30
August,.....	46	11	58	24	5		61	39
September,.....	29	13	51	34	6		72	31
October,.....	9	6	69	17	3		70	40
November,.....	28	2	53	60	0		69	46
December,.....	41	1	48	35	4		51	37
	382	149	704	447	63	26	762	380

The observations of easterly winds as shown by the last table,
 " of westerly " " " are 531

Prevailing winds, southwesterly.

Observations of easterly upper wind,..... 391
 " of westerly " 1,142

Prevailing upper winds, southwesterly.

Proportion of westerly surface wind in 1,000, 684
 " of westerly upper wind in 1,000, 928

My journal for 1832 is imperfect in consequence of interruptions, amounting in the aggregate, to about three months, and is therefore omitted. The proportion of westerly winds which it records, is 672 in 1,000.

These results, in their general character, appear to coincide, with the observations which have been made in other parts of the United States, and it is believed, are by no means peculiar to the locality in which they were observed. Indeed there is evidence which is deemed sufficient to establish the position, that we have a southwesterly and westerly current of atmosphere, of varying altitude, sweeping over the United States as regular and as constant as the northeasterly and easterly winds which prevail at the island of Barbadoes, or in the general region of the trade-winds.

The results of the thermometrical observations are omitted, as being of less general interest in an abstract of this kind.

[Senate, No. 70.]

In the foregoing tables, in quartering the horizon, the first or cardinal point in each quarter of the compass is included; N. being included in the N. E. quarter; E. in the S. E. quarter, &c.

It is deserving of particular notice that during some of the coldest periods of winter in this occasionally severe climate, the predominating winds blow from the southwestern, or southern quarter of the horizon. This fact appears to be established by the annual reports which have been made to the Regents of the University, and, it is believed, will become obvious in proportion to the accuracy of our observations. It sufficiently demonstrates (without resorting to other evidence) the fallacy of the notion commonly entertained, that winds are generally rectilinear in their progress and blow for the most part, in right lines, over extensive portions of the earth's surface; an error which appears to remain undisturbed in the minds of most meteorologists.

OF THE BAROMETER.

The results in the following barometrical table have been obtained from a well adjusted barometer, the position of which is supposed to be about 10 feet above the mean level of the water in New-York harbor.

TABLE of the mean height of the barometer in inches, being the result of 5 daily observations, during the year 1833.

1833.	6 A. M.	10 A. M.	2 P. M.	6 P. M.	10 P. M.	Monthly mean.
January,	29.975	29.982	29.963	29.975	29.978	29.975
February,	30.041	30.058	30.001	30.012	30.042	30.031
March,	30.080	30.104	30.030	30.035	30.062	30.063
April,	30.031	30.060	30.023	30.000	30.015	30.025
May,	30.063	30.117	30.092	30.074	30.089	30.067
June,	29.943	29.963	29.934	29.922	29.940	29.940
July,	30.011	30.020	29.992	29.978	29.991	29.998
August,	30.008	30.023	29.973	29.992	30.007	30.006
September,	30.078	30.094	30.065	30.052	30.075	30.074
October,	30.021	30.042	30.006	30.006	30.028	30.021
November,	30.091	30.097	30.061	30.057	30.067	30.075
December,	30.124	30.153	30.116	30.128	30.133	30.131
Annual means, . . .	30.039	30.056	30.021	30.017	30.033	

The irregular and more striking variations of the mercurial column, as connected with the prevailing atmospheric phenomena, cannot be shown in this summary, but would require a transcript of the entire journal. The regular semidiurnal or horary oscillations of the mercury are, however, distinctly manifested by these observations, though not made at the hours considered most favo-

rable to that object. It will be seen that the mean range of this regular oscillation, as between 10 A. M. and 6 P. M. is .039 inches.

The annual mean of the mercurial column as deduced from all the observations is 30.033 inches.

During the first five months of the year the indications of the barometer may have been slightly reduced by a trifling inclination of its position, occasioned by the weight of mercury in the basin. Measures were then taken to prevent the recurrence of this derangement.

TABLE of the mean height of the barometer at the hours therein mentioned, for the year 1834.

1834.	6 A. M.	10 A. M.	2 P. M.	6 P. M.	10 P. M.	Monthly mean.
January,	30.230	30.250	30.223	30.230	30.256	30.239
February,	30.118	30.176	30.123	30.118	30.126	30.133
March,	30.193	30.246	30.184	30.153	30.199	30.195
April,	30.084	30.108	30.072	30.052	30.073	30.078
May,	30.020	30.050	30.035	30.019	30.049	30.035
June,	29.899	29.932	29.919	29.918	29.942	29.923
July,	30.084	30.105	30.062	30.065	30.073	30.078
August,	30.030	30.047	30.033	30.018	30.034	30.033
September,	30.175	30.181	30.154	30.138	30.127	30.162
October,	30.193	30.196	30.168	30.159	30.196	30.182
November,	30.091	30.117	30.078	30.079	30.098	30.094
December,	30.146	30.177	30.131	30.147	30.203	30.161
Annual means, ...	30.106	30.133	30.099	30.092	30.118	

Mean range of the semi-diurnal oscillations, as between 10 A. M. and 6 P. M.,041 inches,
Mean of the two years, 1833 and 1834,040 "
Mean of all the observations in 1834, 30.11 "
" " " in 1833 and 1834, . 30.07 "

TABLE showing the monthly maxima and minima of the barometer, for the years 1833 and 1834.

	1833.			1834.		
	Maximum.	Minimum.	Range.	Maximum.	Minimum.	Range.
January,	30.49	29.32	1.17	30.65	29.65	1.in.
February,	30.47	29.47	1.00	30.61	29.64	97
March,	30.52	29.57	.95	30.78	29.69	1.09
April,	30.40	29.42	.98	30.69	29.54	1.15
May,	30.37	29.72	.65	30.50	29.67	.83
June,	30.28	29.62	.66	30.23	29.34	.89
July,	30.25	29.65	.60	30.42	29.80	.62
August,	30.22	29.70	.52	30.28	29.78	.50
September,	30.20	29.84	.46	30.60	29.71	.89
October,	30.52	29.30	1.22	30.53	29.71	.82
November,	30.57	29.48	1.09	30.60	29.44	1.16
December,	30.50	29.50	1.00	30.56	29.45	1.11
	30.57	29.32	1.25	30.78	29.34	1.44

Of the monthly maxima of the barometer in 1834, $\frac{5}{8}$ occurred with the wind in the N. E. quarter; with the wind southeasterly, none; $\frac{1}{8}$ with the wind in the southwestern quarter; and $\frac{1}{8}$ with the wind in the northwestern quarter.

Of the monthly minimum $\frac{3}{8}$ occurred with northeasterly winds; $\frac{1}{8}$ with southeasterly; $\frac{1}{8}$ with southwesterly; and none with northwesterly.

A barometrical journal, if made in connection with the observations now required by the Regents, would increase the interest of a scientific observer in the ordinary phenomena of the atmosphere, and may be otherwise of practical advantage. A full table of such observations, made at frequent daily periods, and simultaneously, at some six or eight academies in different parts of the State, would increase the value of those reports for which the scientific world is already so much indebted.

It is respectfully suggested, whether barometrical reports to this extent may not be obtained by the voluntary action of gentlemen of science, having charge of these institutions; and whether such a result may not be facilitated by furnishing, if necessary, a limited number of suitable instruments to certain academies for this object. The barometers, if well selected, and once carefully adjusted in a secure position, are but little liable to derangement, and, where not already possessed, will prove a valuable acquisition to the philosophical apparatus of those institutions.

Latitude, Longitude and Elevations of the respective places.

<i>Academies.</i>	<i>N. Latitude.</i>	<i>W. Longitude.</i>	<i>Elevation of place of observation above tide.</i>	<i>Topographical Remarks.</i>
Albany,	42° 39'	73° 44'	130	On the west side of the valley of the Hudson, and on the edge of a plain extending back to the Mohawk.
Auburn,	42 55	76 28	650	In the valley of the outlet of the Owasco lake, about 100 feet below the lake, and 250 above the canal at Port-Byron.
Bridgewater,	42 55	75 17	1286	Elevation above lake Erie, 64 feet.
Buffalo,	42 53	78 58	.....	On the Hoosac river, an eastern branch of the Hudson.
Cambridge, Washington, ...	43 01	73 23	.....	On the west side of the valley of the Mohawk.
Canajoharie,	42 53	74 35	284	At the northern extremity of the Canandaigua lake.
Canandaigua,	42 50	77 15	.....	On the east shore of Cayuga lake, distant from the water, and 25 feet above the surface of the lake.
Cayuga, Aurora,	42 45	76 40	412	In an elevated valley on the height of land which divides the tributary waters of the Susquehanna from those of the Mohawk.
Cherry-Valley,	42 48	74 47	1335	On the eastern part of Long-Island.
Clinton, Long-Island,	41 00	70 19	16	In the valley of the Homer river, 98 feet below the Tully lakes.
Cortland, Homer,	42 38	76 11	1096	In the valley of the west branch of the Delaware river.
Delaware,	42 16	74 58	1364	On the eastern bank of the Hudson.
Dutchess County,	41 41	73 57	.....	On an inclined plane, gradually descending to the ocean, near the western extremity of Long-Island.
Erasmus Hall,	40 37	73 58	40	

CONTINUED.

<i>Academies.</i>	N. Latitude.	W. Longitude.	Elevation of places of observation above tide.	<i>Topographical Remarks.</i>
Fairfield,	43° 05	74° 55	1185	About 300 feet above the valley of West Canada creek, and 800 feet above the canal at Herkimer.
Farmers' Hall,	41 20	74 11	.....	Elevation above tide water 425 feet, as ascertained by the recent rail-road survey.
Franklin, Steuben county,...	42 30	77 13	1494	On a branch of the Chemung river. Elevated above Crooked lake 776 feet.
Fredonia, Chautauque county	42 25	79 24	645	On the east side of Canadaway creek, on a flat about 80 feet above lake Erie, distant 2½ miles from the lake. On the southeast the highlands of Chautauque are distant 7 miles.
Gouverneur High School,...	44 25	75 35	400	On the Oswegatchie river, probably about 400 feet above tide.
Hamilton,	42 49	75 34	1127	In the valley of a branch of the Chenango, 702 feet above the canal at Utica.
Hartwick,	42 37	75 04	1100	On a tributary of the Susquehannah, at least 1,100 feet above tide water.
Hudson,	42 12	73 45	150	On the east side of the valley of the Hudson, about 150 feet above the river.
Johnstown,	43 00	74 23	.....	On the north side of the valley of the Mohawk.
Ithaca,	42 26	76 30	417	In a valley at the head of Cayuga lake, about 30 feet above the surface of the water.

Kinderhook,	42 22	73 43	125	On a plain elevated 125 feet above the Hudson, on the east side of the river.
Kingston,	41 55	74 02	188	On an extensive plain 188 feet above the Hudson river, on the west side.
Lansingburgh,	42 47	73 40	30	In the valley of the Hudson, on the east side of the river.
Lewiston,	43 09	79 10	280	On the eastern bank of the Niagara river, near lake Ontario.
Lowville,	43 47	75 33	800	In the valley of a branch of the Black river, about 100 feet above the level of the river.
Middlebury,	42 49	78 10	800	In the valley of Allen's creek, a tributary of the Genesee river; estimated to be from 200 to 300 feet above the canal at Rochester.
Montgomery,	41 31	74 09	.....	On the Walkill, a western branch of the Hudson.
Mount-Pleasant,	41 09	73 47	.....	On the east side of the valley of the Hudson; 125 feet above its level.
North-Salem,	41 20	73 37	170	On the north bank of the river Titlicus, about 20 miles from Peekskill, and about 170 feet above the level of the sea.
Newburgh,	41 30	74 05	150	On the west side of the valley of the Hudson, probably 150 feet above the surface of the river.
Onondaga,	42 59	76 06		
Oxford,	42 28	75 38	961	In the valley of the Chenango river;
Oysterbay,	40 50	73 49		
Palmyra,	43 05	77 16	450	
Plattsburgh,	44 42	73 27	105	Situated on the west side of the valley containing lake Champlain.
Pompey,	42 56	76 05	1300	On one of the highest points of land in the county, not less than 900 feet above the canal at Salina.
Redhook,	42 02	73 56	.....	On the east side of the valley of the Hudson.
Schenectady,	42 48	73 55		
Springville, .....	.....	.....	.....	Elevation supposed to be about 500 feet above the canal at Buffalo.

CONTINUED.

<i>Academies.</i>	<i>N. Latitude.</i>	<i>W. Longitude.</i>	<i>Elevation of places of observation above tide.</i>	<i>Topographical Remarks.</i>
St. Lawrence, Potsdam,.....	44° 40	75° 01	394	On the Racket river, 169 feet above the St. Lawrence at Ogdensburg.
Rochester High School,	43 08	77 40	500	On the Genesee river.
Union, Ellisburgh, Jeff. Co...	43 45	76 10	.....	Near the eastern shore of lake Ontario.
Union-Hall,.....	40 41	73 56		
Utica,	43 06	75 13	473	In the valley of the Mohawk, on the south side of the river. Place of observation 48 feet above the canal.
Washington.	43 08	73 17		
Sem. of G. & O. Conferences,	42 55	75 51	1100	Near Cazenovia lake, probably from 600 to 700 feet above the canal at Utica.

MEMORANDUM.—The table of last year has been carefully compared with the individual statements of observers, and alterations have been made in several instances, in conformity to them. The longitude, however, in most instances, is to be deemed only an approximation to the actual position.

STATE OF NEW-YORK.

No. 71.

IN SENATE,

March 16, 1835.

REPORT

Of the committee on the judiciary, on the memorial of the mayor, aldermen and commonalty of the city of Albany relative to the Albany basin.

Mr. Edwards, from the committee on the judiciary, to whom was referred the memorial of the mayor, aldermen and commonalty of the city of Albany, and also the memorial of the owners of lots and docks, and of divers other citizens, relative to the improvement of the Albany pier and basin, and the remonstrance of the pier owners,

REPORTED:

That they have examined the subjects mentioned in the several memorials referred to them, and also considered the reasons contained in the remonstrance against granting the several applications of the petitioners, with that attention the importance of the subject appeared to demand. They have also received such testimony as the interest of the parties and the nature of the case seemed to require in relation to the several subjects committed to their charge.

It appears from the examination the committee have given the subjects mentioned in the memorials of the lot and dock owners and other citizens, that the difficulty of entering the basin on account of the bridge over the lock, and the bridges over the basin, together with the double dockage required to be charged on all river craft en-

tering the same, induces vessels to lie on the east side of the pier, and that the emoluments of dock owners on the west side of the basin are thereby reduced. These, however, are difficulties necessarily resulting from the provisions of the act authorizing the construction of the pier. By that act, passed the 5th of April, 1823, the pier lock and bridges were authorized to be constructed. Commissioners were appointed for that purpose, and on complying with the provisions of the act, letters patent were to be issued by the Commissioners of the Land-Office to these commissioners, who were to divide the pier into lots, to sell the lots at auction, and convey such as were sold to the purchasers. These commissioners constructed the pier, lock and bridges according to the provisions of the act, obtained the necessary certificates, which were filed and recorded as the act required. The Commissioners of the Land-Office thereupon issued letters patent to these commissioners, who divided the pier into lots, sold these lots, with the appurtenances, at public auction, and conveyed them to the several purchasers; and the lots thus conveyed, together with the appurtenances as they then were, with the right of sharing in the double dockage required to be charged by the act on vessels entering the basin, became the individual property of the purchasers. The right of double dockage, therefore, being an appurtenance to the pier property as well as of the docks, cannot, in the opinion of the committee, be varied or altered without the consent of the owners of the pier, nor can the lock and bridges be widened or altered, or any of the pier property taken, unless for public improvement, on paying the owner such damage as he may sustain thereby. The only question, therefore, as it appears to the committee, is, what improvements does the public interest require, and how far do the contemplated projects justify the taking of private property for their accomplishment?

The committee are fully aware that the building of the pier has been an important improvement, and has contributed most essentially in promoting the commercial interest and prosperity of the city of Albany. They therefore feel great reluctance in recommending any measure that would have a tendency to impair its usefulness and importance, unless public interest should most imperiously require it. And such, they cannot believe, are the pressing necessities for opening the pier at this time for public use, as to justify the committee in recommending that project to the favorable consideration of the Senate; but the time may hereafter come when such a measure may be deemed expedient. While, however,

they view this measure unfavorably, they are fully of the opinion, from the testimony, that the petitioners are entitled to relief in other respects.

The lock, as well as the passages under the draw bridges within the pier, as it appears from the evidence produced to the committee, are not of sufficient width to admit with convenience the passage of all description of river craft with their loading. As one of the designs of the basin was to accommodate such boats and vessels as should navigate the river, these difficulties should be obviated.

It is also satisfactorily shown to the committee, that the basin is in a very imperfect state, and but illy accommodates the commercial interests of the city. Much testimony has been produced to show what was the condition of the river previous to the construction of the pier; the changes which have taken place since the pier was erected, and the causes which have conspired to produce those changes. From this testimony, we are led to the conclusion that the alluvial deposits washed from the hills, as well as those thrown in from the river, through the opening at the north end of the pier, together with the obstruction of the current of the water within the basin by means of the bulkhead at its southern termination, are the principal causes which have produced the changes in the depth of the water in different places within the basin of which the petitioners complain. These alluvial deposits appear to be constantly increasing within the basin, where the dredging machine has not been used, and especially in that part of it lying north of Columbia-street bridge; and unless some efficient measures be adopted for their removal, will soon, in all probability, not only in a great measure destroy the navigation of the basin, but most seriously affect the health of the city.

The committee, therefore, feel it their duty to recommend an excavation of the basin as the most effectual, if not the only way to remove these obstructions. And with a view to increase the velocity of the current within the basin, so as to prevent alluvial deposits from again accumulating when once removed, they recommend a removal of a portion of the bulkhead, and an extension and straightening of the docks on the west side of the basin.

Should the improvements they have seen fit to recommend be adopted, and should experience prove them to be insufficient, fur-

ther improvements may hereafter be recommended. But the committee cannot conceive it their duty to recommend the taking to a greater extent the property of individuals for public purposes, until they are further satisfied of the absolute necessity of doing so, from the failure of the improvements they have already recommended, should they be made, to accomplish the object designed.

In conformity with these views, they have prepared a bill, and ask leave to introduce the same.

STATE OF NEW-YORK.

No. 72.

IN SENATE,

February 19, 1835.

SIXTEENTH ANNUAL REPORT

Of the Trustees of the Bank of Savings, for the year
1834.

Pursuant to the provisions of an act, entitled "An act to incorporate an association by the name of the Bank for Savings in the city of New-York," the trustees now beg leave to present their sixteenth report as follows:

First.—That the trustees have received from eighteen thousand three hundred and twenty-five depositors, from the first of January to the thirty-first of December, 1834, the sum of one million and seventy-four thousand eight hundred and twenty-two dollars and thirty-one cents, in the following manner:

In the month of January	from	\$1,933	depositors,	\$96,813	10
" February,	"	1,278	"	67,373	48
" March,	"	1,466	"	74,807	62
" April,	"	1,008	"	56,262	58
" May,	"	1,326	"	85,373	00
" June,	"	1,915	"	119,240	17
" July,	"	1,494	"	96,968	07
" August,	"	1,457	"	66,302	46
" September,	"	1,391	"	81,621	00
" October,	"	1,378	"	78,403	43
" November,	"	1,355	"	84,116	00
" December,	"	2,824	"	147,504	25
				<hr/>	
				18,325	
					<hr/>
				\$1,074,832	31

Second.—That the sum of one million two hundred and thirteen thousand six hundred and thirty-four dollars and seventy-two cents, has been drawn out by fifteen thousand seven hundred and eighty-seven depositors. Of this number three thousand five hundred and ten have closed their accounts:

In the month of January,	paid	1,347	drafts,	....	\$131,219 67
" February,	"	1,570	"	....	141,407 56
" March,	"	1,566	"	....	138,637 78
" April,	"	1,642	"	...	142,526 98
" May,	"	1,540	"	....	105,781 97
" June,	"	968	"	....	56,691 26
" July,	"	1,465	"	....	118,982 00
" August,	"	1,464	"	....	97,936 03
" September,	"	1,167	"	....	88,682 39
" October,	"	1,269	"	87,366 78
" November,	"	995	"	65,806 26
" December,	"	859	"	38,646 04
<hr/>					
15,787					\$1,218,684 72
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Third.—The depositors have been classed under the following heads of professions and occupations:

Accountants,	3	Carpenters,	146
Attorneys,	9	Chairmakers,	3
Blacksmiths,	100	Coachmen,	6
Barbers,	16	Curriers,	5
Boarding-house keepers, ..	43	Carvers,	5
Booksellers,	5	Coopers,	13
Butchers,	10	Cabinetmakers,	66
Bookbinders,	18	Confectioners,	10
Bakers,	74	Combmakers,	2
Bookfolders,	8	Comedians,	2
Brushmakers,	3	Collectors,	2
Brokers,	1	Coppersmiths,	3
Boatmen,	8	Coachmakers,	2
Brewers,	2	Clothiers,	1
Button-makers,	2	Carters,	1
Cooks,	17	Domestics,	840
Clerks,	128	Distillers,	2
Cartmen,	72	Druggists,	9

Dyers,	6	Preachers of the gospel, ..	20
Engineers,	16	Pilots,	2
Engravers,	3	Paper-makers,	4
Farmers,	58	Pavers,	4
Fishermen,	11	Pianoforte-makers,	9
Furriers,	4	Rope-makers,	2
Fruiterers,	26	Riggers,	7
Grocers,	69	Seamstresses,	285
Gardners,	25	Ship-masters,	13
Gold-beaters,	2	Sailors,	41
Glass-cutters,	11	Soldiers,	4
Gilders,	4	Shipwrights,	20
Glover,	1	Shopkeepers,	8
Glaziers,	2	Stone cutters,	32
Gunsmiths,	2	Sadlers,	13
Hatters,	23	Shoemakers,	98
Hucksters,	15	Sailmakers,	8
Jewellers,	16	Sugar bakers,	19
Laborers,	503	Sawyers,	3
Locksmiths,	1	Students,	3
Lamplighters,	2	Slater,	1
Leather dressers,	9	Segar makers,	7
Masons,	57	Sausage makers,	6
Merchants,	72	Silversmiths,	7
Musicians,	12	Teachers, female,	24
Milkmen,	7	Teachers, male,	24
Minor,	1	Tailors,	98
Musical instrument makers,	8	Tailoresses,	3
Marshals,	2	Tobacconists,	3
Machinists,	7	Type founders,	6
Millwrights,	3	Turners,	7
Marble polishers,	3	Tavern keepers,	34
Millers,	2	Trunk maker,	1
Morocco dressers,	2	Tanners,	12
Nurses,	13	Tinners,	9
Night scavengers,	2	Tallow chandlers,	5
Oystermen,	3	Upholsterers,	6
Ostlers,	24	Victuallers,	2
Printers,	34	Wheelwrights,	2
Pedlers,	45	Weavers,	11
Physicians,	15	Washerwomen,	12
Porters,	63	Watch makers,	5
Painters,	34	Whitesmith,	1

Watchmen,.....	1
Not described, being minors, &c.,	433
	<hr/>
	4,190
	<hr/>

DESCRIPTION OF PERSONS.

Minors, female,	83
Minors, male,	67
Orphans,	10
Apprentices,	2
Widows,	393
Single women,	862
Trustees (deposit in trust for children, orphans, apprentices, servants, &c.),	336
Colored persons,	153
	<hr/>
	1,956
	<hr/>

Fourth.—The deposits have been made in the following sums:

From	1 to	5 dollars,	1,433
"	5 to	10 "	2,347
"	10 to	20 "	3,523
"	20 to	30 "	2,496
"	30 to	40 "	1,484
"	40 to	50 "	1,858
"	50 to	60 "	717
"	60 to	70 "	459
"	70 to	80 "	441
"	80 to	90 "	281
"	90 to	100 "	1,040
"	100 to	200 "	1,352
"	200 to	300 "	434
"	300 to	400 "	200
"	400 to	500 "	143
"	500 to	600 "	37
"	600 to	700 "	25

Carried forward,

Brought forward,.....				
From	700 to	800 dollars,	.....	14
"	800 to	900 "	.....	9
"	900 to	1,000 "	.....	14
"	1,000 to	2,000 "	.....	14
				<u>18,325</u>



The Trustees have deemed it expedient to present the following view of the Institution, from the commencement of its operations in July, 1819, to January, 1835.

RECEIPTS.				REPAID.			
From July 1819 to July 1820, by	4,840 dep'ts,	\$313,384	24	From July 1819 to July 1820 to	369 drafts,	\$39,622	84
" 1820 "	1821, " 5,299	"	"	" 1820 "	1821 " 1,274	"	113,659 69
" 1821 "	1822, " 6,164	"	"	" 1821 "	1822 " 1,802	"	158,761 00
" 1822 "	1823, " 5,452	"	"	" 1822 "	1823 " 2,925	"	230,311 97
" 1823 "	1824, " 7,682	"	"	" 1823 "	1824 " 3,314	"	258,494 01
" 1824 "	1825, " 9,173	"	"	" 1824 "	1825 " 4,514	"	443,033 52
" 1825 Jan.	1826, " 4,980	"	"	" 1825 Jan.	1826 " 3,002	"	305,900 66
From Jan. 1826 "	1727, " 10,343	"	"	From Jan. 1826 "	1827 " 6,476	"	513,247 53
" 1827 "	1828, " 12,617	"	"	" 1827 "	1828 " 7,246	"	530,051 78
" 1828 "	1829, " 11,770	"	"	" 1828 "	1829 " 9,085	"	628,267 15
" 1829 "	1830, " 11,937	"	"	" 1829 "	1830 " 9,376	"	573,953 05
" 1830 "	1831, " 14,200	"	"	" 1830 "	1831 " 9,278	"	553,747 37
" 1831 "	1832, " 16,357	"	"	" 1831 "	1832 " 9,605	"	625,558 91
" 1832 "	1833, " 13,638	"	"	" 1832 "	1833 " 11,644	"	861,120 92
" 1833 "	1834, " 20,015	"	"	" 1833 "	1834 " 11,493	"	912,472 25
" 1834 "	1835, " 18,325	"	"	" 1834 "	1835 " 15,787	"	1,213,634 72
Deduct amount repaid to depositors,				107,190			
\$9,976,959 55				\$7,961,837 37			
Add int't up to and including Jan. div'd, 1835,				2,015,122 18			
Total due depositors, January 1, 1835,				\$3,085,738 25			

The funds of the institution are invested in and consist of:

1st. Funded debt of the State and the city of New-York and Pennsylvania and Ohio canal stock at par value,	\$2,345,598 78
2d. Bond and mortgage of the public school society, \$30,000, and deposits in bank of New-York and bank of America, \$400,000,	430,000 00
3d. Real estate—a building for the accommodation of the business of the bank, and furniture,.	22,242 78
4th. Cash uninvested, being a balance in the Mechanics' bank this day,	279,656 68
	<hr/>
	\$3,077,498 24
	<hr/>

The bank has been in operation near 16 years, during which time it has opened 43,696 accounts, and received altogether from depositors, \$9,976,959 55
 To which add interest up to 1st Jan. 1835, say... 1,070,616 07

\$11,047,575 62

Closed during the whole period 21,102 accounts,
 and paid out altogether, 7,961,837 37

Leaving 22,594 accounts entitled to this balance,. \$3,085,738 25
 which will average about \$137 to each account; thereby demonstrating that the design of the Legislature in chartering this charitable institution has been fully accomplished, by extending to the poor and laboring classes the benefit of keeping and employing their little earnings for their security and advantage.

JOHN PINTARD, *President.*

ROBT. C. CORNELL, *Secretary.*

The Bank for Savings, in account current with John Oothout, Treasurer.

		CR.		
1834.	January,	To cash paid to depositors,		\$131,219 67
	"	" expenses,	\$389 19	
	February,	" to depositors,		141,407 56
	"	" expenses,	232 62	
	March,	" to depositors,		138,637 78
	"	" expenses,	731 52	
	April,	" to depositors,		142,590 35
	"	" expenses,	245 50	
	May,	" to depositors,		105,731 98
	"	" expenses,	444 57	
	June,	" to depositors,		56,691 26
	"	" expenses,	263 59	
	July,	" to depositors,		118,982 00
	"	" expenses,	600 00	
	August,	" to depositors,		97,936 03
	"	" expenses,	271 36	
	September,	" to depositors,		88,682 39
	"	" expenses,	539 69	
	October,	for stock,	\$51,480 00	
	"	interest accrued on do,		660 00
	"	to depositors,		87,366 78
	"	expenses,	358 32	
				[2] DEBIT

November,	"	to depositors,			
"	"	expenses,	354	37	
December,	"	to depositors,			
"	"	expenses,	269	30	
			<u>\$51,480</u>	<u>00</u>	<u>\$4,720</u>
					<u>05</u>
		Total amount invested in stock,			\$1,480
		" of expenses,			4,720
		1835. January 2, to balance carried down,			979,658
					<u>\$1,550,914</u>
					<u>83</u>

3

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1894.	January 3,	By cash in bank this day.....	\$370,661 49
"	"	received from depositors,	96,806 93
February,	"	interest on stock,	\$21,727 50
"	"	from depositors,	67,376 45
March,	"	"	74,808 31
April,	"	interest on stock,	10,381 84
"	"	Transmittals	66,280 03
May,	"	"	2,145 00
"	"	"	85,376 06
June,	"	"	119,237 19
July,	"	interest on stock, bonds, &c.,	43,085 89
		Carried forward,....	

		Brought Forward,.....	
1894.	July, By cash from depositors,.....		990,988 08
	August, " interest on stock,.....	\$1,987 80	
	" " from donations,.....		26,313 65
	September, " school society,.....		10,000 00
	" " ".....		81,631 34
	October, " ".....	10,331 84	
	" " ".....		78,415 81
	November, " ".....	9,145 00	
	" " ".....		84,718 31
	December, " ".....		147,508 95
1895.	January 2, " interest on stock, bonds, &c.,.....	43,392 01	
		<u>\$154,716 32</u>	
	Total amount of interest received,.....		<u>154,716 32</u>
			<u>\$1,550,914 83</u>
			<u>\$279,656 66</u>

January 2. By balance brought down,.....
 Errors excepted.
 New-York, January 2d, 1895.

J. COTHOUT, Treasurer.

STATE OF NEW-YORK.

No. 73.

IN SENATE,

March 10, 1835.

REPORT

Of the Mohawk and Hudson Rail-Road Company, in obedience to a resolution of the Senate of the 9th instant.

To the Honorable the Senate of the State of New-York.

The Secretary of the Mohawk and Hudson Rail-Road Company, in obedience to the resolution "that the Mohawk and Hudson Rail-Road Company report to the Senate, the quantity of land purchased or contracted for, at and contiguous to the eastern and western terminations of their said road, and the amount of money paid and to be paid therefor; also the amount of money received by the said company for the transportation of property and passengers on the said road, from the opening of the navigation of the Hudson river in the spring of 1834, until the final closing of the Erie canal on the fourteenth of September in that year; and also the quantity and kinds of property so transported,"

RESPECTFULLY REPORTS:

That in answer to the first subject of inquiry he would premise, that the said company extended their road from its point of intersection with the Erie canal to the Mohawk river, for the purpose of affording the means of a junction with the Schenectady and Saratoga Rail-Road Company, and in case the end of such extended track is the western termination of their road, then they have no land at and contiguous to the said western termination; but inasmuch as regards the operations of the said Mohawk and

[Senate, No. 73.]

Hudson Rail-Road Company, their road has terminated near the said point of intersection at and contiguous to which the company have purchased or contracted to purchase land, the same has been assumed for the purposes of this inquiry as the said western termination.

With this explanation, the said company have purchased and contracted to purchase, at and contiguous to their eastern and western terminations, eighteen acres and six hundred and eighty thousandths of an acre, and have paid and are to pay for the same the sum of eleven thousand nine hundred and twenty-five dollars.

In answer to the second branch of the inquiry he states, that there has been received by the said company, for the transportation of property and passengers on the said road, from the opening of the navigation of the Hudson river in the spring of 1834, until the final closing of the Erie canal on the fourteenth of December in that year, the sum of seventy-seven thousand six hundred and seventy-one dollars and twenty-four cents.

In answer to the last branch of the inquiry, there has been carried over the road property to the amount of thirty-one million nine hundred and sixty-five thousand three hundred and sixty-nine pounds; that during the continuance of said navigation, the property passing over the road was not, at either end thereof, received or handled by the agents of the company; that the company received a stipulated compensation per ton for transporting the same, without any discrimination except between property going up and that coming down; and that they kept an account merely of the weight of the loaded wagons.

All of which is respectfully submitted.

SAMUEL GLOVER,
Sec'y M. & H. Rail-Road Company.

Albany, March 9, 1835.

STATE OF NEW-YORK.

No. 74.

IN SENATE,

March 30, 1835.

REPORT

Of the Canal Board, on the memorial of John McIntyre, David W. Wing, Joseph Hunter and Morrel Baker.

The Canal Board, to whom was referred by the Senate the memorial of John McIntyre, David W. Wing, Joseph Hunter and Morrel Baker, praying a grant of the canal water in the Fort-Edward feeder for hydraulic purposes, and in support thereof the petition of M. E. Shaw and others; and in support of the grant to Wing and McIntyre the petition of Silas Nelson and others, of John Ross and others, of Walter Geer, junior, and others, and of Peter Comstock and others, also asking that such grant be made,

REPORT:

In the petition first mentioned it is represented that at the time the Champlain canal and Fort-Edward dam were first contemplated by the Canal Commissioners and engineers, it was supposed, and so represented by them, that extensive water privileges would be created by the erection of said dam and canal: that the same would be permitted to be used on terms perfectly reasonable, by such persons as should be disposed to embark in works of that description: that a part of the feeder from said dam was made of larger dimensions for the express purpose, as then was represented, of supplying an extra quantity of water for the accommodation of such works, with the expectation that they would be erected.

It further represents, that soon after the completion of the dam and feeder a building was erected for the purpose of carding wool and fulling cloth, and that the machinery for the works were driven by water drawn from said feeder, without any opposition from the persons having charge of the canal, if not with their entire approbation.

It further represents, that, as it was believed that abundance of water might be furnished for other works without injury to the canal, a grist-mill and trip-hammer were subsequently erected, also dependent on said feeder for water: that all these works have been many years in operation, of which the agents of the State on the canal have had a full and perfect knowledge, and no objection has ever been made by any of them to the continuance of said works, until within the last year, when, much to the surprise of the petitioners, an order was issued, (without previous notice,) by the acting Commissioner, directing said works to be closed by permanent embankments, thereby rendering said works of no value to the owners, and depriving the citizens of Fort-Edward and the adjacent district of having their business done as they were wont to do since said mills have been in operation.

In this petition it is further alleged, that no injury to the canal navigation has been caused by the hydraulic works erected on said feeder: that no water has ever been drawn for their use except when it was abundant: that the petitioners have at all times discontinued the use of their works when required by any agent of the State: that they have done all in their power to add to the security of the canal: that they believe that an impartial tribunal would decide that it has been decidedly beneficial to the canal during the navigable season of the year, by passing water from the summit to the level below, without which the canal could not be supplied but at great expense to the State: that the proprietors of the grist-mill constructed a waste-gate, to pass water from the summit when that passed by the mill should prove insufficient: that it is not unfrequent that this waste-gate must be kept open when the mills are in full operation, the water passing through it when the mill is closed being absolutely necessary to supply the canal. The petitioners allege that they ought not to be regarded as trespassers on the rights of the State or subject to the penalties inflicted by law on the violators of their provisions: that at an early period before or after the erection of their works, an effort

was made with the agents of the State for a lease of the surplus waters of the Fort-Edward dam and feeder: that the negotiation was continued for a considerable length of time, and nothing definitively settled until about the year 1828, when the acting Canal Commissioner, on that portion of the canal, delivered to the proprietors of said mills a copy of a resolution of the Canal Board, fixing a price for the use of said surplus waters; and that the petitioners then agreed to take leases: that the proprietors of the grist-mill, on receipt of a copy of such resolution, delivered to the Commissioner a written acceptance of the terms upon which said water was to be leased, but that before leases were executed the Legislature, by joint resolution, prohibited the Canal Commissioners from making leases of surplus water, except in certain cases; and that they have at all times been ready and willing to pay a reasonable rent for all the privileges they have enjoyed. These petitioners also state, that, "to secure the rights of individuals who have vested a large amount of capital in hydraulic works on said feeder, to preserve the faith of the State, which your petitioners confidently believe was pledged for the use of the surplus waters of said feeder, by the acts of the Canal Commissioners and Canal Board, to stop unnecessary litigation; the proprietors of the grist-mill, to secure what they conceive to be their just rights, have been driven to the necessity of applying to the court of chancery to stop the further proceedings of the acting Commissioner."

The petitioners pray the passage of a law directing the Canal Board to execute leases of the surplus waters of the Fort-Edward feeder to the proprietors of hydraulic works thereon, upon the terms stipulated by the resolution of the Canal Board referred to in the petition.

The Fort-Edward dam is of wood, about 28 feet high, and nearly 1,000 ft. long, and presents a surface for leakage of about 70,000 superficial feet. By a breach in this dam in 1833, and from its partial failure in the dry season of 1834, as stated in the last annual report of the Canal Commissioners, the water in the surface of the pond was, in the last year, for several weeks depressed below the top water line of the Champlain summit. In its present state, there is not at low water, sufficient water passing over the dam for its preservation. A guard lock of wood defends the canal and feeder from the floods of the river; and the feeder is a navigable

canal conducted along the foot of a hill, of sliding clay, and supported on the opposite side by a high towing-path embankment, to the Champlain summit, of which it is a part. Between the guard lock and hydraulic works mentioned in the petition, is a waste-weir, to discharge over the lands of Timothy Eddy any surplus waters which might endanger the canal.

This feeder was designed to supply the Champlain canal northerly 12 miles, to Fort-Ann, and the three locks and short levels which conduct the navigation into Halfway brook. Any deficit of water in the feeder will be experienced at the north end of the 12 mile level, and this inconvenience is often felt in that direction.

This feeder is also designed to supply the canal from the summit to Fort-Miller, a distance of about 8 miles, with two locks; and in seasons of low water, and when the water in the Fort-Miller pond is depressed by any leakage at that dam, the supply must be drawn for the canal, to the Saratoga pond, an additional distance of about three miles with three locks. In general, therefore, the water to be passed round the Fort-Edward lock, must supply the canal eight miles, and for short and dry seasons, eleven miles; while the supply to be sent north, should at all times be sufficient for about twelve miles of navigation. The supply in either direction is aided by the Glen's-Falls feeder, which discharges into the summit about two miles north of the Fort-Edward lock. That feeder is a navigable canal of about seven miles to the dam, above all the hydraulic works at Glen's-Falls and Baker's-Falls, and in its present state, much contracted, and the drawing of water through it for the supply of the summit to that extent, reduces the hydraulic power of the river below. In order to effect this greater draft of water through this narrow canal, as has been necessary the last two years, it is necessary to raise the water by brackets on the Glen's-Falls dam, and the water in the pond and the upper part of the canal, and depress it in the canal by drawing it down at the first lock near Sandy-Hill, causing at the upper end a heavier pressure on the banks and bottom, much of which is subject to leakage, a more rapid current to wear, and at the part near the locks, reducing the water too low for convenient navigation. It is, therefore, desirable to avoid any large draft by this feeder.

Shortly after the erection of the Fort-Edward dam, a saw-mill was constructed at it, by Melancton Wheeler and Timothy Eddy,

as the Board are informed, between the guard lock and river. It was operated for several years by water drawn from the Fort-Edward pond. It became decayed, and the State, in the repair of the dam, was at the expense of cutting loose its connection with the dam, and repairing the cuts which had been made in it for flumes.

The fulling-mill and trip-hammer shop mentioned in the petition, were erected in part on the south embankment of the feeder, and in part on the lands of Timothy Eddy, over whose land the feeder at these points is located. These draw their water from the feeder below the guard gate, and discharge it into the river below the dam.

The grist mill of Wing & McIntyre, mentioned in the petition, is erected in part on the south embankment of the feeder about four rods from the Fort-Edward lock, and in part on the lands of Daniel W. Wing and John McIntyre. The lift of the lock is about ten feet, and constitutes the head and fall of the mill. It is a good substantial grist mill, with elevators for grain and flour, and the apparatus usual in grain mills for country work. It has three run of stones, operated each with a tub wheel, by water drawn from the feeder, and passed into the canal below the lock. The water necessary to operate such wheels will be double the quantity required on wheels operated by its gravity.

It is not believed by the Board that any agent of the State authorized or has assented to the erection of either of these hydraulic works mentioned in the petition. They have been erected at the peril of the proprietors, like many other encroachments on the canal. No wall has been erected for the security of the canal or to sustain the height of the water at either of them. In connection with the grist mill flooms, the proprietors constructed a gate through which the water from the feeder can be drawn to supply the level below. The canal at this point was completed in 1822, and the grist mill in 1827. Until after the mill was erected, the supply of water for the canal was drawn through the lock. After the gate in the mill floom was constructed, it was passed either by the mills, or in the option of the lock tender, through the lock or the gate alluded to. In the winter and spring of 1834, the superintendent of repairs on that part of the canal, constructed at considerable expense near the lock, a stone waste or water fall,

with gates, as a necessary repair to the canal, and as such, the expense was paid by the State. Under the canal laws, if a lease be given for the water to operate the mills, the construction of the guard wall directed by the statute will make it necessary to pass the water for the supply of the canal south through these gates, as the increased locking on the canal will render it inconvenient to pass the water through the lock.

The Revised Statute relative to the canals took effect January 1, 1828.

On the application of the petitioners, and those from whom they derive title, the Canal Board, September 26, 1828, adopted the following:

“ Resolved, That the Canal Commissioners be and they are hereby authorized to advertise and sell the surplus waters on the Champlain canal at the following places:

“ At the Fort-Edward dam on Eddy’s land:

“ At the feeder on Wing, McIntyre and Cook’s land, near the Fort-Edward dam.”

Under this resolution, the Canal Commissioners, on the 19th of June, 1829, ordered the rent for the surplus waters at these places respectively, to be appraised by the canal appraisers as directed by law, 1 R. S., p. 232, § 87 and 88, and after the appraisal which was made that year, gave the notice thereof as required by sections 87 and 88.

This appraisal of the rent was made at the prices usual in other parts of the State where rents had been appraised or reserved for the use of the surplus waters of the canals. On notice thereof, the applicants alleged that water power at Baker’s-Falls, Glen’s-Falls, and other places in the vicinity of the water in question, was abundant, and that the rent for these surplus waters had been appraised too high, and refused to take leases under and at the rates fixed by the appraisals.

The Canal Board, March 22, 1830, “resolved that the Canal Commissioners be and hereby are authorized to sell at public auction the surplus water of so much of the Fort-Edward feeder as passes through the lands of Wing, McIntyre and Cook, not exceeding the one-half, at an annual rent which shall not be less than

seventy-five dollars for the first three years after the date of the lease; for the next three years, one hundred dollars, and after the expiration of six years, at the rate of one hundred and fifty dollars; or they may sell in like manner such portion of the surplus waters as will be sufficient to supply three run of stone at an annual rent which shall not be less than seventy-five dollars: and they are further authorized to sell in like manner, the surplus waters of so much of the Fort-Edward feeder, as passes through the lands of Timothy Eddy and Melancton Wheeler, or either of them, for an annual rent which shall not be less than seventy-five dollars for the first three years after the date of the lease; for the next three years, at the rate of one hundred and fifty dollars, and after the expiration of six years, at the rate of two hundred dollars; or they may sell in separate privileges from the last aforesaid surplus water, a quantity sufficient for two run of stone, for an annual rent of fifty dollars." And by a resolution passed at the same time, it was directed that durable lease be executed for either of these portions of surplus water.

The hydraulic works mentioned in the petition had been erected before any resolution had been adopted by the Canal Board or Commissioners, authorizing any sale of these surplus waters. The rents fixed in the last cited resolutions were designed to guide the discretion of the Commissioners in the sale, and to guard the rights of the State as far as practicable under then existing circumstances. The rents were fixed considerably below those fixed by the appraisers, but how far below cannot now be stated as the appraisal cannot now be found.

The acting Commissioner gave notice to the petitioners, or some of them, of the resolution adopted by the Canal Board, and the rents fixed by them as the least sums to be bid therefor on a sale of the water. They, or some of them, assented to bid these sums, if a sale should be made, and expressed their desire to have the sale made.

In these cases, a lease would not confer on the lessee any right to use the water without the consent of the owners of the land; and no consent, as required by the 89th section of the canal law, has been given. Without it, no valid sale could be made in these cases.

This request to sell the water was during the year 1830; but the acting Commissioner had then in charge the construction of

the Chemung and Crooked Lake canals, and was prevented by other duties from advertising or making the sale as required by the canal laws; and before any could be advertised, the sales were prohibited by the concurrent resolutions of the Senate and Assembly on this subject, passed April 23, 1831.

The failure in the supply of water by the Fort-Edward feeder last summer, as stated in the last annual report of the Commissioners, directed the attention of the acting Commissioner to this subject. He ascertained that no sale of the water had been made, no rent paid, no guard wall constructed, and on the 20th of August wrote the superintendent of repairs:

“ Water is drawn from the Fort-Edward level for hydraulic purposes, which has in my opinion been of serious injury to the canal. By the act of May 6, 1834, p. 577, the Commissioners are forbidden to permit this except where it is taken by grant or lease authorized by law. You will therefore close with earth, in a safe manner, all these hydraulic drains, from the Fort-Edward feeder or level without delay; and if any attempt to open them is made, the act must be resisted, and prosecuted as a felonious attempt to destroy the canal. Vide 1 R. S. p. 248, s. 180.”

The superintendent of repairs, under date of August 25, 1834, wrote the acting Commissioner:

“ Yours of the 20th instant, I received on Saturday afternoon, and agreeable to your directions, I proceeded this morning with a number of men in my employ, (together with a State boat loaded with earth,) to stop the water from the grist mill in this village, which I was prevented from accomplishing by Daniel W. Wing and John McIntyre, who appeared at the place with from 100 to 150 men, to prevent by force my carrying the order into execution. Messrs. Wing and McIntyre came on board the boat, fastened ropes to it, and the people collected, (by their direction) drew the boat from the place where I had stationed it, for the purpose of filling in the embankment. Therefore I have not been able to fulfil your instructions so far as respects the mill. I have stopped the water from Mr. Hunter's blacksmith's shop, and at the fulling mill.”

This letter was received by the acting Commissioner on the 30th of August. His answer of that date expresses the opinion that the

law must be obeyed; and closes by remarking, "of the wisdom of the law in question no one can doubt. If it can be grossly violated at Fort-Edward it may be at other places, and I have no doubt soon will be. Indeed I detest the partiality of tolerating some in these abuses and forbidding others; and I think it due to all honest men, and to yourself, to punish these offenders and close the cut as the law commands."

At a meeting of the Canal Board in September Messrs. Wing and McIntyre appeared before the Canal Board and claimed that they had acquired a vested right to the use of the water in question. This right was denied by the acting Commissioner. The secretary of the Board of Canal Commissioners had not his papers with him to examine as to the acts of that Board, and the Canal Board could not then decide on the only question then in dispute, that is, whether the grant of these waters had been made. It was certain no lease had been executed.

On the 6th of September the acting Commissioner enclosed to the superintendent of repairs a bond to be executed to the people of this State, by Messrs. Wing and McIntyre, reciting this controversy, their claim of right and his denial of it, and to afford them "a reasonable opportunity to apply to the Legislature for relief, and a reasonable time, if no grant to use the water shall sooner be made to them, to remove the said mill and repair the embankment and banks of the said canal where cut as aforesaid." The bond was conditioned that, if no grant was sooner obtained, they should, at their own expense, remove the mill and repair the embankment and banks by the 15th day of April next, and in the mean time indemnify the State against injury to the canal. The superintendent was directed, "If, before the expiration of the next week, they, (Messrs. Wing and McIntyre,) will execute and deliver the same," [bond,] "to you for the benefit of the people, you will suspend the execution of my order to close the mill cuts, and deposite the bond in the Comptroller's office: but, if the bond is not executed, note on it the time and manner of refusal, to be returned to me, and proceed, without further delay, to close the mill cuts, as I have directed."

On the 18th of November the acting Commissioner received a letter from the superintendent, dated Sept. 20, 1834, enclosing the bond, signed by Daniel W. Wing. In this letter the superintendent

writes, "McIntyre refuses to sign the bond, as he thinks it would be signing away his right to draw water, entered into by the Canal Board with him." On the same day the acting Commissioner answered, "I return the bond unsigned by Mr. McIntyre, as wholly insufficient to excuse you in not obeying my order to close the mill cuts. If they have still so little confidence in their right, (I think they have none whatever,) as to refuse to abide the decision of the Legislature, I hope you will no longer neglect your duty."

In November, 1834, the petitioners, Wing and McIntyre, filed their bill in chancery, before the vice-chancellor of the fourth circuit, stating their view of their case, praying a decree for a sale, and obtained an injunction against the acting Commissioner and superintendent, to restrain them from closing the cuts and floods to the grist-mill, and enjoining them not to interrupt the water, (except as had been usual.) A copy of the bill has been obtained, and an answer on the part of the acting Commissioner will be put in, as soon as his other duties will permit. It is not deemed necessary to detail the charges in the bill or the facts designed to be inserted in the answer. It is respectfully submitted that the facts in the case, and which are detailed above, would not, under the law, authorize an injunction or sustain a decree for a sale and conveyance, and that there is no just foundation for the charge in the petition that the proprietors of the mill have been obliged to resort to a court of equity to sustain their rights. The acting Commissioner afforded them the opportunity, without suit, of submitting their case to the decision of the Legislature, to which, after suit commenced, they have elected to submit it.

The Canal Commissioners have examined the subject and reported to the Legislature their opinion of the policy of leasing the surplus water of the canals and the water passing around the locks from one level of the canal to another, for hydraulic purposes. These reports will be found in the case of applicants for the water at Horse-Heads, (Senate Documents, February 26, 1834, No. 78;) the applicants for the water at Lockville, (Assembly Documents, March 10, 1834, No. 287.) In these reports they have detailed many of the facts and circumstances which go to prove that the canal waters can not be used for hydraulic purposes without essential injury to the canals and navigation on them. In their report to the Assembly, April 1, 1834, (Assembly Documents, No. 359,)

they have referred to their previous reports on the subject, and stated additional facts, as to the effects on the canal and its navigation, of using the waters of the canals, their feeders and ponds, for hydraulic purposes, in which this Board concur. In this report they conclude by saying, "The Commissioners are, therefore, of opinion, that good policy does not require that the prohibitory resolutions referred to should be rescinded. On the contrary, they suppose that all unauthorized drawing of the water from the canals and their feeders, should be effectually prevented: and that prospective measures should be adopted to prevent expensive investments on grants already made, and to resume the water granted, as the wants of the navigation may require."

The last has been a dry season, and abundantly proved the correctness of the conclusions of the Commissioners. At the first lock north of Waterford there were locked on this canal, last season, 9,629 boats and 1,888 cribs of timber; making 11,017 lockings, and it is reasonable to suppose that the business on this canal will increase with the improvement of the country; and it is believed to be essential to the navigation on this canal to afford to it every reasonable aid and security. The Board are of opinion that no grant should be made of the waters of this canal, its feeders or ponds, for hydraulic use; and, that provision should be made for rescinding the grants already made.

All which is respectfully submitted.

S. VAN RENSSELAER,
MICHAEL HOFFMAN,
WM. C. BOUCK,

Canal Commissioners.

GREENE C. BRONSON,
A. C. FLAGG,
JOHN A. DIX,
WILLIAM CAMPBELL,
A. KEYSER,

Commissioners of the Canal Fund.

March 27, 1835.

STATE OF NEW-YORK.

No. 75.

IN SENATE,

April 4, 1835.

REPORT

Of the committee on the judiciary, on the petition of the trustees of the first Baptist church in the city of New-York.

Mr. Lansing, from the committee on the judiciary, to whom was referred the petition of the trustees of the first Baptist church in the city of New-York,

REPORTED:

The petitioners state that the building, and lot on which it stands, now occupied by said church is situated in the lower part of the city of New-York: that its situation, owing to the growth of the city, has become inconvenient and unpleasant to the individuals attending public worship there: that for this reason, with others, it is desirable to change its location, and for that purpose ask for the passage of a law to authorize them to dispose of and convey the present lot and buildings, that with the avails thereof they may erect a new house of public worship.

The committee, although they think that there can be no objection to the sale and disposition of the property as proposed by the petitioners, do not think it proper to grant the prayer of the petition.

There is nothing appearing in the papers shewing the necessity of legislative interference. It does not appear from the petition that this society was incorporated by any special act of incorpo-

ration, nor can the committee, on examination, ascertain such to be the fact. The committee therefore assume that the church is incorporated under the provisions of the general act in relation to religious incorporations. If so, ample provision is made by that act to enable the petitioners to obtain the authority they desire. The Chancellor, if he deems it advisable, can authorize the petitioners to sell and convey the property, and authorize the application of the avails as he may think advisable. The committee think the authority is well placed, and that the Chancellor will be able in all cases, through the medium of an application to him, more fully to ascertain the facts, than would usually be done in an application to the Legislature. The power in relation to churches is similar to power given to the Chancellor in other cases, and was undoubtedly intended to prevent special legislation. The committee are of opinion that public policy requires that special legislation should, as much as possible, be avoided, and that when ample provision exists by law the Legislature should not encourage special applications.

The committee are of opinion, therefore, that the prayer of the petitioners ought not to be granted.

STATE OF NEW-YORK.

No. 76.

IN SENATE,

April 6, 1835.

REPORT

Of the Canal Commissioners, on a resolution of the Senate of the 23d March, relative to the Albany Basin.

The Canal Commissioners, in accordance with the directions of the Senate, in their resolution of the 23d March, 1835,

REPORT:

By the resolution the Commissioners are required to report,

1. The extent of the interruption to the navigation in the Albany basin, during the past season, and their opinion of the causes thereof:

2. The remedies proper and necessary to the removal of the obstructions therein, and particularly as to the expediency of widening the upper or northern opening in the pier, and of causing another opening in the pier between Columbia-street and State-street bridges.

1. The Commissioners have caused soundings to be taken of the depth of water in the basin. These have been noted a map of the basin by Holmes Hutchinson and Frederick C. Mills, civil engineers, which is herewith submitted. These soundings are stated in reference to low tide, in the usual summer flow of the river, and prove that the water is too low for good sloop navigation below State-street, and that above State-street it is wholly insufficient for sloop navigation, and in general for the navigation of canal

boats, especially above Columbia-street bridge. During the last season a narrow channel was dredged near the pier, from the Columbia-street bridge to the canal lock near the head of the basin. Annexed, marked D, is a statement of the soundings, made by directions of one of the Commissioners, and exhibits the draft at low water before the channel was dredged. From these soundings it appears that the dock, from State-street north, is unapproachable by the river craft, and almost entirely so for canal boats, north of the Columbia-street bridge.

During the last season the interruption to the navigation in the basin was great, recurred with every low tide while the river was at its ordinary low water flow, and extended through a great part of the summer and autumn. The impassable state of the basin was a serious injury to the business at Albany and on the canal, and tended to drive the navigation from the canal into the river, from Troy to Albany, to the injury of the canal revenue, and persons engaged in canal transportation.

These interruptions to the navigation were caused by the great deposits in the basin. These are derived, in part, from the sand and mud brought down in the river water, and mostly from the earth brought into the basin by the street-gutters and sewers of the city. The cross section of the water channel into the pier, at its head, is less than the cross section of the water channel in the basin, and either of these is larger, and of the latter much larger than the cross section of the water channel through the discharge lock at the foot of the basin. The first may be stated, in low water, at 600 feet; that of the basin will vary, with its expansion and depth, from 800 to 2,000 feet, while that of the discharge lock will be only about 360 feet. Aside from evaporation, the current will be inversely as the section of the channel. On the river side of the pier it is understood that the current not only prevents but removes deposits. From the best information they can obtain the Commissioners believe that before the pier was made the current was sufficient to maintain along the docks south of Quackenbush-street a depth of water sufficient for the convenient use, at these docks, of the river craft. If the current had continued it would probably have removed most of the deposits which now fill the basin; and it is fair to presume that these deposits are mainly attributable to the comparative dead or still water of the basin.

2. The cause of the evil is quite apparent. The remedy is more doubtful and much more difficult.

If the line of the dock was made parallel or nearly so to the pier, and the basin so constructed at the widest part, that the depth of water requisite for the canal and river craft would give a cross section no greater than it would be safe and proper to afford at the entrance and discharge from the basin, the arrangement would be the best practicable to prevent deposits in the basin, and every approximation to these proportions would be an improvement on the present plan. It would also tend to secure the cleanliness of the basin, and the health of the residents about it.

The north entrance into the basin must have a limit, to secure the basin against rough water, from the floods of the river, and especially from the ice, which is driven hard against that portion of the pier, and to prevent the floods of the river from breaking the ice of the basin in winter and spring to the injury of the craft lying in the basin for safety.

Under these circumstances, the Commissioners recommend that the entrance be enlarged in the manner indicated on the accompanying plan C, to the width of 110 feet, where it is believed the depth, by occasional dredging, if not without it, can be maintained at 12 feet, making a section of 1,320 feet. The entrance may be defended against the ice by a pier 120 feet long and 30 feet wide, with an ice breaker 30 by 30 feet, in the form, and at the points indicated on the plan.

To afford the clearest flow in the basin consistent with the use for which it was designed, the Commissioners recommend that the pier work of the present bridges be removed, and that the bridges be built on piles of oak timber driven at such distances as to afford a space of 40 feet, and for the draws a span of 50 feet. These bridges should be raised above the highest floods, and at least 10 feet in the clear above ordinary tide. These piles would occupy the least practicable room in the basin, and least interrupt either the passage of boats or the flow of the water.

In the opinion of the Commissioners, the bulkhead and discharge lock should be removed. In this operation the discharge from the basin may be increased to the width of 165 feet, and formed in the

manner indicated on the plan marked B. The current here would probably maintain the requisite depth of water; but if it should not, the depth must be obtained by dredging.

The irregular and at points great width of the basin, renders it evident that the contraction of it into a regular form, would aid in giving that flow to the waters in it, which is necessary to lessen the deposits alluded to. The excavation of the present deposits would to some extent furnish materials to fill in the docking to be constructed; and the process would reduce the superficial extent from which future deposits must be dredged. But no contractions should be permitted which is not absolutely necessary, or which would render the basin insufficient in area, to permit the free and easy movement of the numerous sloops, canal boats, and other craft, which, in the increasing navigation of the canals and river, may resort to the basin.

If the other alterations above suggested are tried, it may be found less difficult to clear the basin, and the necessity for its contraction may be obviated. And it is suggested that no material contraction of the basin should be permitted, until the other expedients mentioned have been fully tested. In any improvement of the basin, it is desirable to produce in it the greatest current that will be consistent with its convenient use by the canal and river craft, and their security in it during the winter and spring floods. Successive improvements may be necessary to adjust the proportions of the several parts of the work so as to produce the desired result of a safe and convenient basin, least subject to deposits.— In the improvements suggested by the Commissioners, they have sought to approximate to these proportions.

The opening of a channel through the pier between State-street and Columbia-street bridges, if properly executed, would doubtless afford great inconvenience to the navigation. In a basin so long and crowded as this will in general be, with canal boats and other craft, warping the river craft is difficult and tedious, and will become more so, with the increase of the crowd. But it is not seen how it can operate in practice to diminish the deposits in the basin; and unless the discharge from the basin be much larger than the supply at the cut near the head, the supply at the cut through the side of the pier may deaden the current in the basin.

above, and thus tend to increase the deposits there. Any other injury to the basin from such a side cut is not regarded as probable.

Under any arrangements deemed practicable, the present deposits in the basin should be removed by dredging; and their injurious accumulation should be prevented by a free and early resort to this practical remedy.

All which is respectfully submitted.

MICHAEL HOFFMAN,
WM. C. BOUCK.

April 4th, 1835.

STATE OF NEW-YORK.

No. 77.

IN SENATE,

April 6, 1835.

REPORT

Of the committee on canals on the bill from the Assembly entitled "An act for the construction of the Black river canal."

Mr. Beardsley, in behalf of the committee on canals, to which committee was referred the bill from the Assembly entitled "An act for the construction of the Black river canal,"

REPORTED:

That the committee have turned their attention more to the question, whether the State at the present time should engage in this work, than to the consideration of the practicability and details of the project.

They are aware that this canal has been long sought for by the petitioners, who regard it, as it no doubt is, of vital importance to that section of the State. They are also aware that it has been considered an important auxiliary in our system of internal improvements by some of the most enlightened and devoted friends of that system, Governor Clinton having called public attention to it some ten years ago.

The general outline of the project is to commence at the Erie canal near Rome, thence through the village of Rome to the Black river below the High falls, about 35 miles, with a navigable feeder of about 11 miles from the Black river above Boonville, to the summit level near the latter place, and an improvement of the

river for navigation from the High falls to Carthage, 40 miles below, thus making 86 miles of navigable communication, including the feeder, and contemplating tolls for the whole distance. The lockage, ascending and descending, is upwards of one thousand feet. In other respects no unusual impediments are supposed to be in the way of its construction, and no doubt is entertained of an abundance of water.

The expense, including the improvement of the river, is estimated at about \$1,000,000; but from the immense lockage and various unforeseen expenses always consequent upon the construction of public works, with the admitted uncertainty in relation to the improvement of the river, the committee feel warranted from past experience to anticipate an increase of expenditure beyond that sum.

These considerations, although formidable, are not such as to induce the committee to pronounce the project impracticable, or that it should be considered inexpedient whenever the fiscal concerns of the State in view of other authorized improvements and of existing charges upon the treasury and public resources, will warrant extending our system of internal improvement.

In reference to the contemplated enlargement of the Erie canal and its double lockage, the committee suppose it may become desirable to procure an additional supply of water on the Rome level, in which event the Black river canal might be regarded as important in that point of view; and that a navigable communication of 86 miles might be connected with the Erie canal by constructing 46 miles of artificial navigation, will afford a strong additional argument in favor of this project.

The committee, impressed with the importance of our system of internal improvements, are free to admit that they desire to see an enlarged and liberal policy pursued towards those sections of the State which have not immediately participated in the benefits resulting from the public works already constructed, of which the Black river country is claimed by its friends to be one.

They are aware that the construction of these works, by giving an impulse to business in their vicinity, by developing the resources of the country through which they pass, by opening a channel for the easy and cheap transportation of property to and from

market, which otherwise might not find a market, has an important bearing, and may add to the aggregate wealth of the State beyond the amount of the public expenditure: Yet if it should be conceded that the canal under consideration would in its results, when constructed, answer the most sanguine expectations of its friends, the committee in the present state of the public resources, would feel themselves as assuming a heavy responsibility both as it regards the finances of the State and the public sentiment of its citizens, should they recommend the immediate adoption of this measure.

But it must be borne in mind that the report of the Canal Commissioners, the accredited agents of the State, and to whose care and attention this project has been confided, who from their experience should be best able to judge, does not present it as one without difficulties and doubts, as to its expediency and successful results: And it may also be remarked, without impugning the motives of petitioners, that the Commissioners, having no private interest to subserve, may generally be relied on in their estimates and conclusions with more safety than the petitioners, whose judgments, from self interest, may very naturally and honestly be biassed in reference to a favorite project.

Experience in reference to other projects of internal improvements fully justifies these remarks, and it will be found that the expenses of public works have uniformly exceeded the estimates of friends, and most generally, from unforeseen difficulties, those of experienced public agents. It must also be borne in mind that the State treasury is in arrear, and the public debt will be considerably increased by the time provision is made for discharging the Erie and Champlain canal debts, for which the auction and salt duties and the canal revenues are constitutionally pledged. When these duties and revenues can be made available for the purposes of the State treasury the committee hope to see the State debt reduced, and they are unwilling, at this time, to recommend any appropriation not absolutely necessary, that may, to any considerable extent, retard this desirable result. They think the system of internal improvements, if extended, should be gradually extended, as the financial concerns of the State will admit, without unnecessarily increasing the public debt, which, in the judgment of the committee, should rather be diminished, as the

means of the State will permit, than increased by new enactments.

The committee deem it inexpedient to engage, to any considerable extent, in new works for internal improvement until the public debt shall, in a measure, be provided for, unless funds shall be raised or authorized for such new appropriations. And they believe the public are not prepared to submit to direct taxation in special reference to an extension of our canal system. Nor can the committee believe it discreet for the friends of internal improvements to press their projects to such an extent as to alarm the public mind by an impression that a heavy and unwieldy debt is to be accumulated, for the discharge of which an onerous imposition of taxes may become necessary. Such an impression might very naturally produce a reaction in public sentiment, and not only retard the discreet exercise of legislative power, in reference to new canals, but, by unreasonable alarms and stubborn prejudices, postpone the construction of new works beyond the time when those more timid would otherwise be prepared to sustain a system for further improvement. Besides, it will be recollected that the State is now engaged in the construction of the Chenango canal, and that to complete it a million of dollars will be required beyond the original estimate of its friends.

Whether this canal will meet the expectations of its friends, or be a failure from a scarcity of water, want of business and its immense lockage, as its opponents predict, the committee will not attempt to decide. But they think this should be, in a measure, completed and tested before the State embarks in another project involving a large expenditure, with an equal amount of lockage, and, in the judgment of the committee, possessing no very decided advantages over the Chenango canal, unless it be in the abundance of water, a superabundance of lumber, a greater extent of navigation for the amount expended, and from an abundance of iron ore supposed to exist in the vicinity of the proposed canal.

In view of these considerations, and that the doubling of the locks on the Erie canal have become necessary and have already been authorized, which will probably, with the new aqueduct at Rochester, involve an expenditure of \$1,500,000, to say nothing of the contemplated enlargement of the Erie canal, the committee have arrived at the conclusion that the bill under consideration, to say the least, ought not to pass at present.

In coming to this conclusion they are aware that they disappoint the wishes of a numerous and highly esteemed portion of their fellow-citizens, who, no doubt, honestly entertain different views on this, (to them,) interesting question. And the committee trust that they will not be considered as standing opposed to a discreet extension of the canal system, in withholding their assent to this bill, or that they are unreasonably thwarting the wishes, or neglecting the interest of those who have petitioned for this improvement.

The committee entertain a hope that within a few years the financial concerns of the State will be such that, without embarrassing the public treasury, and without imposing unnecessary burthens upon any section of the State or any branch of domestic industry, the citizens of this part of the State may be gratified in their wishes, if their favorite project shall be found to possess the merits which the petitioners believe it does, and which the committee do not deem it necessary to controvert.

The committee refrain from expressing any definite opinion upon the ultimate practicability or expediency of this measure, for the reason that they consider it inexpedient, at the present time, for the State to engage in its construction, even upon the assumption that its friends are not mistaken in their anticipations of its results and the cost of its construction.

STATE OF NEW-YORK.

No. 78.

IN SENATE,

April 7, 1835.

REPORT

**Of the committee on canals, on the Rochester and
Olean canal.**

The committee on canals, to which was referred the petition of a large number of the inhabitants of Allegany, Cattaraugus, Genesee, Monroe, Ontario, and the city of New-York, praying for the *immediate* construction of a canal from the city of ROCHESTER, in the county of Monroe, to Olean, in the county of Allegany,

RESPECTFULLY REPORT:

That at the last session of the Legislature, a law was passed directing a survey of this canal route, by an engineer, under the supervision of the Canal Commissioners. Among the duties which devolved upon the Commissioners by the passage of this law, was that of estimating the probable amount of revenue which might be anticipated from its construction. This provision was the more necessary, as large estimates had been made by its friends, of the tolls which would be collected upon it. For this purpose, and to ascertain the cost of the work, the Commissioners employed *Frederick C. Mills, esq.*, who seems to have executed the duty assigned to him, with fidelity and great ability.

The three main questions to be taken into consideration, in relation to this important work, are,

1. The cost of construction: .
 2. The revenue to be derived from it: and,
- [Senate, No. 78.]

3. The effect which the abstraction of the waters from the streams on the summit, and from the Genesee river, will have upon the hydraulic works now in operation.

The cost of construction on the west side of the Genesee river is estimated by the engineer at \$1,890,614. The locks are to be of stone, laid in hydraulic cement, the facings to be of hammered stone. The length of the canal will be a little over one hundred and twenty-two miles; and the amount of lockage is stated to be 1,057 feet. From the estimated cost of construction the Commissioners deduct \$116,242, if the locks, with the exception of those which are to be combined, should be composite. This would leave the estimated cost of the work, exclusive of damages, at \$1,774,372. But as the Commissioners prefer stone locks, with hammered facings, we should estimate the cost upon that plan. The damages to individuals may not be great; but there is a reasonable apprehension that hydraulic works may suffer, to an extent not contemplated by the petitioners.

The Commissioners observe, (page 2d,) that they have "examined the report, plans and estimates, with as much care as time and circumstances would admit, and they believe this service has been performed with industry, fidelity and care. It is probable that the estimated cost of this canal may not materially vary from the cost of actual construction. But it is proper to repeat what has often been said before, that estimates for work so difficult as occurs on a portion of this line of canal, are always uncertain, and generally below the cost of the work. As far as the Commissioners can judge, the quantities appear to be full, and the prices adequate."

It will be seen by the above extract, that the Canal Commissioners express the belief that this canal may be constructed within the estimates; though they very properly observe, that the estimated cost of work so difficult as that which occurs on a portion of this line of canal, is always uncertain, and generally below the actual expense.

It appears from the report of the engineer, [See his report, page 16,] that on one point, descending into the Genesee valley, there is a fall of 469 feet in the short distance of three and three-fourths miles. At another point, there is a fall of 274 feet in the distance of two miles, and expensive works south of Mount-Mor-

ris. [See Canal Commissioners' report, page 3.] There is also a tunnel to be made through a solid rock, of 16 chains, or 64 rods. These obstructions are not only calculated to inspire doubts as to the usefulness of the canal, but must of necessity, however able the engineer, render his estimates somewhat uncertain. But as the Canal Commissioners, who have carefully examined the matter, are of opinion, that the cost of this canal will not materially vary from the estimates of the engineer, it will probably be fair towards the applicants, to state it at \$2,300,000. The committee do this, because, for some reason, every canal hitherto constructed has cost more than the original estimates. The debit would then stand thus:

Cost of the canal \$2,300,000. The annual interest on that sum, at 5 per cent, would be.....	\$115,500
Expense of repairs on 122 miles of canal, at \$300 per mile,.....	36,300
Five superintendents, at \$500 each, per annum,.....	2,500
114 lock-tenders, at \$18 per month each,.....	16,316
Making an annual expenditure for this canal, of.....	<u>\$170,616</u>

This estimate the committee think sufficiently low. And while they would not do injustice to the applicants, they deem it their duty to state the matter fairly, that the Senate may judge of the propriety of the *immediate* construction of this work. To meet this heavy expenditure, while the work is constructing, we have, to pay the interest on the sums borrowed, the premiums on the loans; after its completion, the tolls to be collected on the line, until the Erie and Champlain canal shall have been provided for.

According to the estimate of the engineer, the tolls which may be calculated merely upon the line, will be \$39,125.60. This would leave a balance to be provided for, out of the treasury, of \$131,490.40, annually. But if we allow the estimate of the engineer to be correct, as to the extra tonnage which this canal would throw upon the Erie canal, the Canal and General Funds would receive for the expenditure \$78,304.60 per annum in return, still leaving a balance, considered as a financial operation, against the State, of \$92,311.40. But it is here proper to remark, that the extra tonnage which this canal would contribute to the Erie canal, must be in some measure a matter of conjecture, as it is dif-

difficult to draw the dividing line, and the committee leave it to the Senate, referring them to the report of the engineer, and such lights as they may receive from those who feel a deep interest in the success of the project.

It is but justice to the petitioners to state, that the engineer remarks, that the opportunity afforded, and the time allotted to him, was too limited to enable him to furnish as full and perfect an estimate as he could wish; and the Canal Commissioners admit, that they have no means of furnishing any additional information. The applicants for the measure anticipate a much greater amount of tonnage than is allowed by the engineer: with what correctness the Senate will judge when the statements are spread before them by the friends of the measure.

The next branch of the subject demanding our attention, is the supply of water to feed the canal. There does not seem to be any doubt that an ample supply can be obtained; but in doing this, serious apprehensions are entertained, that extensive damage may be done to valuable hydraulic works. The following is the language of the Canal Commissioners in relation to it:

“The engineer proposes to supply the summit level of the canal south to Olean, and north to the place where the first feeder is taken from the Genesee river, a distance of 30½ miles, with 3,484 cubic feet of water per minute. This quantity will give 100 cubic feet per minute per mile, and lockage water for 28 boats passing each way from the summit, every 24 hours. This supply is to be obtained by feeders from the Ischua creek, Lime lake, Fish lake, Beaver and Mud lakes, Black creek, Oil creek, and Little Oil and Swamp creek, which are estimated to furnish, exclusive of loss by evaporation and leakage, 1,556 cubic feet per minute. These lakes are to be so enlarged, by raising the dams at their outlets, as to increase the quantity of water 667 cubic feet per minute. The deficiency, 1,260 cubic feet per minute, is to be provided for by artificial reservoirs, located on the Ischua and Oil creeks.

“The engineer speaks favorably of the soil where these reservoirs are located, and the drainage for the reservoir on Ischua creek, is estimated as sufficient to fill this reservoir eleven times, (though filling it once, is only brought into the estimate.) The drainage to the other reservoirs would also appear to be sufficient.

“ The natural outlet for the waters of Lime, Beaver, Mud and Fish lakes, is down the Cattaraugus creek, which empties into Lake Erie, and if they should be diverted, as is proposed by the engineer, to supply the canal, it would not only create a claim for extensive damages, but might be considered unjust to the country from which the water is diverted.]

“ If the water of these lakes should not be taken, the engineer proposes to supply an equal quantity by additional reservoirs ; which he says can be constructed at nearly the same expense, at which the water is obtained from the lakes.

“ North of the summit, the supply of water must be drawn from the Genesec river, and its tributaries, and an adequate quantity can no doubt be obtained.”

In relation to the water to be taken from the Genesee river and its tributaries, the committee would call the attention of the Senate to the fact, that the extensive milling establishments at Rochester, which are of such immense importance to the trade of that city, and to the trade and prosperity of the State, are even now, at times, deficient in the necessary supply of water. There must be taken from the Genesec and its tributaries, to feed the canal north of Mount-Morris, over 6,000 cubic feet per minute, which will seriously diminish the volume of water in the main stream; and we may have just reason to fear, that during the dry season, the damage would be so great, that it would more than counterbalance the benefits to be derived to the State from the construction of the canal.

It is contended, however, by the friends of the measure, that the water taken from the Genesee and its tributaries, will be returned to it above the hydraulic works at Rochester, and without material diminution. But this is a matter of doubt; more will be lost by evaporation than at present, and much will depend upon the supply which may hereafter be required for the Erie canal, as it is apparent that no water will pass through the waste-weirs unless there should be a surplus in the canal.

In answer to those petitioners, who ask of the Legislature the “immediate” construction of this work, the committee would refer them to the reports of the Comptroller, Commissioners of the Canal Fund, and the committee on finance, with the remark, that in

pursuing our system of internal improvement, we should be careful not so to embarrass our system of finance as to depress the credit of the State, or burthen the agricultural interests.

That the construction of the Rochester and Olean canal would confer immense benefits upon that interesting section of the State through which it would pass, the committee have no doubt; and they can well appreciate the feelings of their fellow-citizens, who have looked to this improvement as an outlet for their lumber and surplus productions. And while they would not advise the State to engage in expensive works of this description, that afford no reasonable probability of indemnifying the treasury, they cannot sanction the doctrine, that no lateral canal should be constructed, which will not on its own line, immediately pay the interest on its cost, and the expenses of superintendence and repairs.

The enterprise which these works excite; the various productions which they add to swell the profits of commercial intercourse; and the productions of the mines and the forest which they alone can render available, add to the general wealth and prosperity of the State; and in the opinion of the committee, they should be prosecuted as fast as the resources of the State will permit.

Entertaining the views thus frankly expressed, the committee return to the Senate the bill for the construction of this canal, which was referred to them, but without recommending its immediate passage.

J. F. HUBBARD, *Ch'n.*

STATE OF NEW-YORK.

No. 79.

IN SENATE,

April 8, 1835.

REPORT

Of the select committee on a resolution directing an inquiry into the propriety of abolishing public executions.

Mr. Mack, from the select committee to whom was referred the resolution directing an inquiry into the propriety of abolishing public executions,

REPORTED:

That the committee have not considered themselves warranted, at this late period of the session, in retaining the resolution before them a sufficient time for that mature examination which a subject so interesting and important demands. They will, however, submit some facts and reasons which have influenced them in forming the conclusion to which they have arrived.

In the early and more barbarous eras of civil government, punishments were vindictive; justice was untempered with mercy. Severity was deemed essential, not only in retaliation for crime, but as an example to deter from its repetition. Terror was the agent of the law; and its administrators, arbitrary in power, attempted to restrain mankind by fear, rather than to reform them by the inculcation of just, humane, and rational principles. Not only was the nature of punishments vindictive, but the modes of inflicting them corresponded less with the character of the crimes than with the spirit of the laws. The penalty of death was at-

tached to almost every offence, and that penalty was most rigorously enforced. Culprits were impaled alive; mutilated; broken upon the wheel; their bodies transfixed to the gallows and left bleaching in the wind; or their mangled remains inhumanly exposed to the public gaze.

But in every age and country in which these barbarous punishments and exhibitions have prevailed, they have been found to produce contrary results from those which were designed. Instead of proving salutary as examples to deter from the commission of crime, their tendency has been to harden and brutalize the feelings of the populace, to familiarize them with scenes of blood, to excite disgust instead of terror or respect for the laws, and to increase offences both in number and enormity. These results are proved by the history of the times, and admitted by the most intelligent writers upon criminal jurisprudence; and the spirit of Christian benevolence, the lights of education and the assuatives of refinement, wherever their progress can be traced, may claim their proudest triumphs over the exactions and inflictions of the criminal codes.

In almost every nation of Europe, the number of offences to which the penalty of death was attached have, within the last half century, been greatly diminished, and the barbarous methods of inflicting this punishment have been abolished; or where these sanguinary statutes have not been repealed, those changes which have softened the character of the people and refined the public manners and opinions, have influenced the administrators of the laws, and rendered those laws, to a great extent, a dead letter. During the reign of Henry the VIII. 72,000 persons were publicly executed in England, being an average of 2,000 each year. In the reign of queen Elizabeth, 400 were executed yearly. From the years 1825 to 1831, inclusive, out of 85,257 criminal convictions in England and Wales, 9,316 were condemned to death; of which only 410, an average of 68 a year, were executed. In Ireland, for the same period, of 65,719 convictions, sentence of death was passed upon 1,814, and inflicted upon 224, or about 48 per year. In France, during the year 1826, of 4,348 persons convicted, 150 were condemned to death, most of whom were executed. In Prussia, from 1818 to 1827, 210 persons were capitally sentenced, only 87 of whom suffered death. And it is the conclusion of all writers by whom the imperfect statistics of crime have

been investigated, or who have had personal experience upon the subject, that in every country, offences against the person have decreased in proportion as the severity and public exhibition of punishments have diminished. In France, for example, a greater number of executions take place, in proportion to the convictions, than in England; and offences against the person bear a greater proportion, both to the whole number of offences and to the population, in the former than in the latter country. It is also remarked, as an important and interesting fact, that "in England and every other country, these offences are diminished in the proportion that the means of education are enlarged." Hence it follows, that it is neither the severity nor the public nature of punishments, but the dissemination of knowledge and the inculcation of pure moral principles, which deter from the commission and prevent the increase of crime.

In the United States rational liberty is the basis of our civil institutions, and the principle of humanity is the foundation of our criminal codes. The Constitution itself declares, that "cruel and unusual punishment shall not be inflicted." While in Great Britain, the laws of which are less sanguinary than those of some other European governments, about *one hundred and fifty crimes* are punishable with death, in no State of this Union is that punishment inflicted for more than *ten* enumerated offences. By the Revised Statutes of this State, but three crimes are declared punishable with death. And to extend this principle of humanity, the revisers recommended a *discontinuance of public executions*, as then and at present conducted, and the substitution of a more private infliction, within the prison or some adjoining enclosure, in the presence of the county judges, district attorney, surrogate, and other public officers, who were required to attend as witnesses. Those provisions, they observed, had "been drawn with a view to avoid the consequences frequently attending the parade of public executions. While, on the one hand, the security of our fellow-citizens requires that the punishment of death should never be inflicted in secret, on the other, it is believed by many, that the manner in which it is usually conducted defeats the great end in view—a solemn and monitory example. A medium between the two has been aimed at." [Vide Rep. of the Revisers, 4th part, chap. 1, title 1, sec. 27, 28, 29, and note.]

But the Legislature which enacted these statutes, halted at the threshold, and stopped short of the important object, by leaving it to the discretion, and resting it upon the responsibility of an executive officer. With such timidity or reluctance do we cast off the shackles of custom, even when humanity pleads and reason is convinced!

As might have been foreseen, in no instance since the adoption of the Revised Statutes, has a sheriff exercised the discretion of departing from the former method of conducting executions in public: nor will any be found, in opposition to the solicitations of depraved curiosity, and the importunities of self-interest, to take upon himself such a responsibility as would be imposed under the present provisions of the statute.

Your committee, therefore, would not be warranted in anticipating, that all minds are now prepared for repealing the discretionary power of the statute, and declaring the more private execution of criminals imperative. The propriety of public executions has been defended, and may continue to be urged, upon the grounds—

1. That they have a legitimate and salutary influence in deterring others from the commission of like offences, which cannot be otherwise effected; that they are the only means of impressing upon the mass of the people a salutary dread and warning, and serve as a public admonition of the certainty of punishment following upon crimes.

2. That all punishments ought to be subjected to the public scrutiny, so that it may be certainly known that the requirements of the law, and no more, have been fulfilled; and that if punishments were privately inflicted, it could not be known whether they were actually, and justly and properly, inflicted upon the persons condemned, or that innocent persons had not become the victims.

To the first of these propositions, your committee have in part anticipated their reply. It may, however, be well to fortify their views, by referring to those whose opinions may be deemed better authority, and entitled to greater respect than their own.

All the writers whom the committee have had time to consult upon the subject, [*Dagge on Criminal Law*; *Sir Sam'l Romilly on*

do. ; *Old Bailey Experience, &c.*, an English publication on *Criminal Jurisprudence*, 1833 ; *Rees' Encyclopedia* ; *Edinburgh do.* ; *Encyclopedia Americana* ; *Sir Edward Cooke, Beccaria, Bentham, and numerous authors quoted in those works,*] agree in the opinion, that public executions have not been salutary in their effects; that they have not deterred from the commission or prevented the increase of crime; but that on the contrary, they have had a deleterious influence upon the public morals, brutalizing the habits, exciting the morbid sympathies, and blunting the genuine sensibilities of the people. A German writer, [*Encyc. Amer. Art. Criminal Law,*] treating of the doctrine, that suffering is to be inflicted upon the guilty, for the purpose of *detering* others from the commission of crime, remarks:

“By the punishment of the offender, others are to be *deterred* from similar acts. The punishment is, therefore, inflicted *publicly* ; and the more horrible the crime, the more effort is made to confirm the popular abhorrence of it by severe penalties. This system is *liable to the most weighty objections*. It cannot be allowed to put to death a human being, simply with the view that others may receive from his sufferings such an impression as to be proof against the temptation to crime. *In point of fact, THIS END HAS NEVER BEEN ATTAINED*, and would require a scale of punishment offensive to sound reason. The mere fear of punishment is of very little weight. Men are kept from crime principally from the natural abhorrence of wrong, heightened by a good education and good example.”

Again : “It is evident, that the sentiments of men, and their moral reformation, cannot be the *direct object* of legislation, from the very circumstance, that this effect is not of a kind to be ascertained.” * * * * * “On the other hand, it is found by experience, that the punishment of death is not sufficient to deter men from the commission of offences to which they are strongly tempted by their passions or their wants.”

Dagge [*“Considerations on Criminal Law,”*] observes: “The circumstance of example, which is often insisted on, does not seem to have so much weight as is often ascribed to it; for delinquents are frequently hardy enough to perpetrate the most atrocious crimes, even when malefactors are, for the same offences, expiring before their eyes, with all the dreadful circumstances of ago-

ny and infamy. Men whose depraved dispositions lead them to the perpetration of capital offences, are slightly, if at all, affected by the sufferings or punishments of others." "If ever the dread of punishment, or the terror of example, comes across their thought, such reflections are soon obliterated by the more flattering prospects which strike their senses and corrupt their judgment. The end of punishment, therefore, with regard to example, appears to be of less consideration than is generally imagined."

"However (says the same writer,) political causists may pride themselves in subtleizing and reconciling moral repugnances with public necessity, we may venture to conclude, that whatever shocks the common sense and feelings of mankind, is faulty in its original establishment."—"Severe laws, it will be allowed, are best calculated for the support of despotic power; but moderate governments are to be maintained by a milder system."—"Therefore, the great stress which has been laid on the advantage of *public executions*, seems to rest on a weak foundation; for they who are endued with a great degree of sensibility, will not behold them, and hardened offenders view them without being affected by them."—"Moral habits are not to be enforced by criminal laws; they are to be inculcated by moderation and good example: but the principal means of making virtue habitual, is to sow the seeds of it in early education."

The author of the late able and interesting English treatise, entitled "Old Bailey Experience," &c. in treating of the "effects of executions," remarks:

"The well known fact, that in every country where the laws are most severe, the people are most in the habit of committing crime, would of itself be thought quite sufficiently striking to convince all law makers of the inutility and fallacy of relying on sanguinary punishments as *detering men from crime*. Fazakerly says, with great truth, 'Sir, there is something in the nature of man that disdains to be terrified, and therefore severe punishments have never been found effectual for preventing crime.' Again: 'It cannot be that men commit crimes for the sake of daring death, yet their numbers increase with the penalty. Another cause must therefore be sought. Is it excitement? *Boys say*, their *first ideas of crime came on WHILE WITNESSING AN EXECUTION*. This fact, which is indisputable, proves that there is some strange and hith-

erto unexplained compound principle of action in the human species. One effect is sufficiently evident, that *it hardens and brutalizes all who witness these scenes*, and all who are concerned in carrying the law into effect.' "

The Rev. Dr. Ford, for many years ordinary (or chaplain) of the Newgate prison, in a letter to Mr. Bentham, which we find in the work above quoted, on "the efficacy of executions," says:

"From every thing I have witnessed on these melancholy occasions, I am decidedly clear, that executions, *managed as they are at present*, answer no end whatever, either for punishment or example."

After describing the treatment and deportment of the culprit in prison, previous to the day of execution, he continues:

"At length the long dreaded morning arrives; he knows he must quit this world, and he may as well do so with a good grace as not. 'What would his old associates say, if they were to behold him die soft?' (as the phrase is.) 'His memory would be despised and had in abomination.' He mounts the drop, resolute in appearance, however he may be within; bows to the spectators; shakes hands with the ordinary, and such others as may be with him travelling the same journey; and (according to the expression in the dying speech, which at this moment is publishing in all parts of London,) 'is launched into eternity.' This man is not punished, nor are his compeers intimidated. It is like the acting of a tragedy: a momentary tear of pity may be shed, but the next ribaldry obliterates the whole of the foregoing catastrophe. For argument's sake, we will suppose the convict a true penitent, and resigned to his fate, with a full trust in, or even a modest hope of salvation. The spectators are ignorant of what is passing in his mind, but they see him resigned in his countenance; consequently they are not intimidated by his example."

The same gentleman, after several years of subsequent experience, repeats his convictions, that "executions are of no avail, either for punishing criminals or intimidating others from the perpetration of crime."

"The death of a criminal (says a writer on this subject in the Edinburgh Encyclopedia,) is a terrible but momentary spectacle, and therefore a less efficacious method of deterring others than

the continued example of a man deprived of his liberty." "The terrors of death make so slight an impression that it has not force enough to withstand the forgetfulness natural to mankind, even in the most essential things, especially when assisted by the passions. Violent impressions surprise us, but their effect is momentary." "The execution of a criminal is to the multitude a spectacle which in some excites compassion mixed with indignation. These sentiments occupy the mind much more than that salutary terror which the laws endeavor to inspire," &c.

Your committee might multiply extracts of the same import, from these and other eminent writers upon criminal jurisprudence. But enough has perhaps been quoted to answer the object designed. It is indeed true, that many of these writers have arrived at conclusions favorable to the entire abolition of capital punishment. But they have come to this result through the convictions forced upon them by observation and experience, that *public exhibitions* of this punishment, while they have little or no effect in deterring from crime, are of a positively injurious and demoralizing tendency. And in their cherished feelings of humanity, and in the exercise of their moral sensibilities, these statesmen and philanthropists seem to have lost sight of the only principle upon which it is justifiable to cut off from existence those who wantonly destroy the lives of others, or commit treason against the government from which all derive protection, and to which they owe a common allegiance—the public safety.

In conclusion, upon this point your committee, having quoted foreign authorities, would appeal to those who have witnessed, or made themselves acquainted with the manner of conducting *public executions* in *this* country. Who are they that comprise a majority of the immense crowds that assemble on such occasions? Are they of that class of citizens whose reason is to be convinced, or those whose animal feelings are to be excited? And what are the scenes usually exhibited there? Are they not those of thoughtless levity, and even of ribaldry, rioting and dissipation? Such of the spectators as have their sensibilities awakened on the occasion, regard with more or less repugnance the attendant formalities, and view them as the acts of despotism rather than of justice. They look almost with horror, even upon the executioner, legally and indispensably the minister of the violated laws; and the horrors of the final spectacle, and the sympathies excited, are much

longer cherished in memory than the criminal cause which produced, and the end of public justice to be accomplished by it. To those who are criminally inclined, a violent death, so terrible in description, now that they have witnessed it, seems but the affair of a moment. It is, they reason, soon over; and will not compare in its bitterness to the sweetness of indulgence or revenge. Such, indeed, as are predisposed to crime, will find in all the attendants of our public executions, rather incitives and encouragements to go on, than impressive admonitions to repent and refrain.

And even to the culprit, whose last moments, whose eternal peace, ought not to be wholly disregarded by the law, a private execution would, in the opinion of your committee, be much more salutary and impressive than a public one, as now uniformly conducted. In the whole proceedings which attend these exhibitions, humanity overacts and becomes ostentatious. The criminal receives during his confinement, numerous and indiscriminate visits, and protestations of kindness and deep regard for his present comfort and eternal happiness. He is led forth amidst military array, to the sound of solemn music, and followed by a long procession, is escorted with "pomp and circumstance" to the gallows. There he is surrounded by professed friends, public functionaries and spiritual advisers, and sees before him an immense mass of his fellow-beings, whose sympathies and good will, in the awakened pride of human nature, he still seeks and hopes to conciliate. At this moment, he feels himself of greater consequence than he ever was before. It cannot but recur to his mind, as it will to the minds of the spectators, that he, who is there the object of so much curiosity, solicitude and attention, might have died upon the couch of honest poverty, within the walls of his humble dwelling, "unnoticed and unknown;" that few of the many who then surround him, would have felt the least interest in his fate; that none would have called to soothe his dying hour, or have expressed any concern for his temporal or eternal welfare! Amidst these exciting scenes, amidst reflections such as these, he passes from time to eternity, regarding himself, and regarded by many others, as a martyr, rather than a malefactor, expiating his offence upon the altar of justice.

But, on the contrary, let the condemned criminal be apprized that he must meet death in comparative solitude; that the opportunity will not be allowed him of receiving and returning the pub-

lic gaze; that as one who has forfeited the privileges and consolations of society, he will not again be permitted to look upon the collected countenances of his fellow-beings, for the safety and protection of whose lives his own life is demanded of him—and may he not be led to appreciate his situation? Will he not turn his thoughts upon himself, and the anticipations of his final hour be more solemn and impressive? There is solemnity in silence. It is in solitude, and not in crowds, that the human mind receives its deepest and most thorough convictions. Cut off from the glare and the murmurs of the multitude; attended only by the officers and appointed witnesses of the law, whose duty he appreciates, and whose character he respects, the culprit who is about to expiate his offence, will be most likely to realize the justice of his sentence, and to meet the solemn crisis with a “broken and contrite heart,”—with true contrition and sincere repentance.

The *second* proposition in support of public, and against private executions, which the committee have quoted, merits consideration. It is true, that punishments should be certain, that they should not be evaded, and that the public should know, or have the means of knowing, that every sentence of the law has been positively and properly executed. But, how small a proportion of the entire population of the State, who have a common interest in these matters, do now, or can have ocular evidence of the execution of a criminal! Will it not be sufficient to guard against any evasion, perversion or abuse, that a specified number of officers and respectable citizens shall be present at each execution, as public witnesses, not as private spectators thereof? Will not an official account from these officers and witnesses, duly attested and published, convey to the public a full knowledge of the event, with all its solemn and salutary influences, unaccompanied by any of its contaminating and counteracting effects? Your committee believe that every intelligent and reflecting mind must answer in the affirmative. They believe that the objection they have last noticed, though not without weight, may be thus obviated; or that it cannot, in this age of intelligence and general information, be sustained against considerations involving the cause of humanity and public morals.

Already have several of our sister States, Massachusetts, Pennsylvania, New-Jersey, &c., preceded us in this measure of reform; and your committee hope that the example will be followed, by

carrying out the principle virtually recognized in the Revised Statutes of this State. But they are of opinion, that a simple repeal of the discretionary clause in sec. 26 of chapter 1, title 1, 4th part of the Revised Statutes, would not accomplish the object in the manner to be desired; but that the enactments should be specific and positive, obviating every reasonable objection, and leaving as little as possible, in so delicate a matter, to the discretion or responsibility of the public officer, whose duty it may be to carry them into effect.

And in conformity with the foregoing views, the committee have instructed their chairman to ask leave to introduce a bill.

STATE OF NEW-YORK.

No. 80.

IN SENATE,

April 9, 1835.

REPORT

Of the committee on claims, on the memorial of the Leake and Watts orphan house, and also of the next of kin of John G. Leake, deceased.

Mr. Tracy, from the committee on claims, to which was referred the memorial of the trustees of the Leake and Watts orphan house, in the city of New-York, praying a grant to the said corporation of the property which escheated to the State, by the death of John G. Leake, late of that city; and also the petition of sundry persons representing themselves to be the next of kin of the said John G. Leake, for a release to them of the said property,

REPORTED:

That these conflicting applications for the property which has escheated to the State, by the death of the late Mr. Leake, were presented to the Senate at the last session of the Legislature, and referred to the committee on the judiciary; and by said committee appear to have been carefully examined, and maturely considered. The elaborate and able report of that committee, adverse to said application, will be found at number 121 of Senate Documents of 1834.

A similar application had been made by the said trustees at the previous session, and the then committee on claims, to which the subject was referred, reported in favor of vesting in these trustees the right of the State to the lands in question, or the proceeds

thereof, and brought in a bill to this effect; which report will be found in the Senate Documents of 1833, (vol. 2, No. 100.)

This committee, however, having heard counsel on behalf of both classes of applicants, and, after a full examination of the subject, find no sufficient considerations for controverting the arguments presented by the committee on the judiciary, or for reversing the conclusions to which it arrived; on the contrary, this committee concurs substantially in both, and submit, in conclusion, the following resolutions:

Resolved, That it is inexpedient for the State to release to the next akin of the late John G. Leake the property that has been escheated by the death of the said Leake.

Resolved, That it is inexpedient for the State to give to the trustees of the Leake and Watts orphan house the property that has been escheated to the State by the death of the late John G. Leake.

STATE OF NEW-YORK.

No. 81.

IN SENATE,

April 8, 1835.

TWELFTH ANNUAL REPORT

**Of the managers of the Troy Savings Bank, for the
year ending the first Monday of April, 1835.**

**TO THE HONORABLE LEGISLATURE OF THE STATE
OF NEW-YORK.**

Pursuant to the provisions of the act, entitled "An act to incorporate the Troy Savings Bank," the board of managers

REPORT:

That from the first Monday of April last to the first Monday of April instant, there has been received, from depositors, in said bank, the sum of \$101,448.28: and that during that time there has been withdrawn from the said bank, by depositors, the sum of \$58,265.29, including dividends paid. The sum of \$520.29 has been paid for contingent expenses of the bank during the past year. That there is now deposited to the credit of the bank in the Farmers' Bank the sum of \$135,999.12, being the amount received by the Troy Savings Bank since the commencement of the institution, and the interest accrued thereon, after deducting the amount refunded to depositors, the contingent expenses of the bank, and the sum of \$4,263.21 invested in real estate.

That depositors in said bank have received dividends at the rate of five per cent per annum, and one dividend at the rate of five and

a half per cent per annum; and that there is a balance to the credit of the profit and loss account amounting to \$7,039.01, including the real estate.

All which is respectfully submitted.

Troy, April 6th, 1835.

R. P. HART, *President.*
J. L. LANE, *Secretary.*

STATE OF NEW-YORK.

No. 82.

IN SENATE,

April 15, 1835.

OBJECTIONS

Of the Governor to the bill entitled "An act regulating the weighing of merchandize in the city of New-York."

TO THE SENATE.

GENTLEMEN:

From a careful examination of the bill which you have sent to me, entitled "An act regulating the weighing of merchandize in the city of New-York," I cannot but regard some of its provisions as objectionable, and am therefore constrained, by a sense of duty, to withhold from it my approval.

The objections to which I wish to direct your particular attention relate to the operation and effect of the tenth and sixteenth sections of the bill. The common council of the city of New-York have for a long time possessed and exercised the power of appointing weigh-masters for that city, and the bill under consideration does not propose to take away that power. I do not question the right of the Legislature to make such regulations relative to the duties of these officers as the interest of trade and commerce or the general good may require. The bill before me proposes to appoint, on the nomination of the Governor, with the advice and consent of the Senate, weighers for that city. If it should become a law, there will then be two sets of officers, (one receiving their appointments from the State and the other from the common council,) to do the business of weighing in that city. The bill before me makes a designation of duties, or rather limits

the officers appointed by the common council to weighing only such merchandize as "is required or intended for immediate consumption in the city of New-York." Neither the right or the expediency of making a designation of their respective duties is the ground of objection; but it is extremely important, not only to the officers themselves but to our citizens who may employ them, that the boundary which is to limit the exercise of their respective powers should be obvious and clearly defined. Such a boundary is necessary to remove doubts and uncertainty, and to prevent litigation and a conflict of authority. It does appear to me that the boundary or designation of duties established by this bill is not so obvious and certain as the nature of the subject requires. The expression "merchandize required and intended for consumption" does not designate with sufficient precision and certainty the objects to which the duties of the weigh-masters of the city of New-York are, by this bill, to be confined. But it is still more important that these weigh-masters should not be subjected to penalties without having the means of certainly knowing when they incur them. They, as well as all other persons, (except the owners of the articles, or those in their employment, and who are not commissioned weighers,) are subjected, for weighing for hire, pay, or reward, to a penalty of one hundred dollars for each offence, unless the merchandize weighed by them "is required and intended for immediate consumption in the city of New-York."

The strong objection in my mind to this provision is, that the weigh-masters appointed by the city authority may incur a penalty when they have not the means of knowing that they do so; that the merchandize which they are called on to weigh is required and intended for immediate consumption in the city may not always be known by the owners, and in most instances cannot be certainly known by the weigh-master. The intended destination of the property can only be known to the owner or buyer, and yet the weigh-master, for not knowing their intentions, may incur the penalty imposed by the tenth section of the bill before me.

I think it not improper to remark, that the language of this section is not sufficiently qualified to remove all doubt from my mind as to its operation upon the inspector of flour and the inspectors of some other articles. It is the flour inspector's duty to weigh in order to detect fraud and imposition in the tare of the barrel or short weight in the flour, and he is in certain cases allowed fees

for weighing; and if this law should go into effect, it may be a matter of doubt whether he would not incur the penalty inflicted by this section, if he should receive these fees. It is not, in my judgment, expedient, nor do I presume it was intended, to withdraw any of the inducements which this officer now has to protect the public against imposition in relation to this important article of trade.

I am not without apprehensions that I give an ampler scope and greater effect to the sixteenth section of the bill before me than was intended; but in judging of the construction it will receive, I can only regard the import of the language used. In the most explicit and unqualified terms it declares, that "the weigh-masters appointed by the common council of the city of New-York should conform to all the provisions of this act, under a penalty of one hundred dollars for each violation thereof." It seems to me to be not only a fair but an unavoidable inference, that the weigh-masters, in performing the duties allowed them, must conform to all those provisions which regulate the conduct of the weighers to be appointed by this bill. If this be the construction of the section, then the weigh-masters appointed by the common council will be placed under the supervision of the weigher-general, and bound to comply with his orders to the same extent as the weighers; they will be required to take the allotment of their business from him, and make duplicate returns to him of the weight of all articles which shall be weighed by them.

As the weighers to be appointed by this bill are required to pay to the weigher-general five per centum on the amount of fees received by them for weighing, it appears to me, by a fair construction of the sixteenth section, that the weigh-masters appointed by the common council will also be obliged to pay to that officer the same per centage on the amount of their fees. It would, without doubt, greatly embarrass the business to which the city weigh-masters are to be confined, to subject them to all the regulations, both in regard to the allotment of duties and to making specific returns, to which the weighers are subjected by this bill; nor do I think it expedient that the weigh-masters should be compelled to contribute any portion of their fees to compensate the weigher-general for his services. Not being able to give a construction to the sixteenth section of this bill which will not result in these consequences, I deem it, on that account, objectionable.

I respectfully submit to you the foregoing considerations as my reasons for not giving my approval to the bill, and herewith return it to you.

W. L. MARCY.

Albany, April 13, 1835.

STATE OF NEW-YORK.

No. 83.

IN SENATE,

April 16, 1835.

REPORT

Of the committee on finance, in obedience to a resolution of the Senate of 9th February last.

“Resolved, That the committee on finance be instructed to inquire whether ground rents, extra rents, incomes from quarter sales, and interests in unlocated and undefined water-right reservations, are subject to taxation; and if they are not assessed and taxed in proportion to other property now by law subject to assessment and taxation, whether they ought not to be.”

Mr. Van Schaick, from the committee on finance, to whom the foregoing resolution was referred, accompanied by sundry petitions from citizens residing in the counties of Rensselaer and Albany, complaining of the exemption from taxation of the property described in the resolution,

REPORTED:

That in accordance to the terms of the resolution, they have confined their investigations to two points:

- 1st. Whether the property named is exempted from taxation:
- 2d. And if exempted, whether it should not be subjected to assessment and taxation.

The reservations contained in the leases which have been put into the hands of your committee, they describe as follows:

"Ground rents" are the sums and produce stipulated to be annually paid by the tenant.

"Extra rents." By this condition of the lease, the lessor reserves the right to purchase the property at the price proposed by the tenant; but if the landlord refuses to purchase, and the tenant sells to another, the estate is subject to one year's rent.

"Incomes from quarter sales." The same right to purchase being reserved by the lessor as in the preceding case; if he refuses, and the tenant sells to another, the landlord may claim a part of the price. This is understood to be usually fixed at one-quarter part of the purchase money, but it is seldom exacted.

"Water-right reservations." The leases reserve all mines, minerals, kills, creeks, streams and runs of water, with the land under water, which the landlord may reclaim and occupy or sell; and they also reserve the land which may be overflowed by water when it shall be dammed up; and they provide, as a compensation to the tenant for the land which may be occupied and employed for building mills, &c. an abatement of a reasonable and proportionate share of the rent reserved.

From this view of the conditions contained in the lease from which the explanation is taken, it will be seen that the rents reserved may all be classed under the simple denomination of income. Revenue or income from ground rent has the same character of personal property, as rents derived from the annual lettings of houses and stores. There is no reason for any distinction between them. Houses, stores and lands are assessed as real estate. The rent or income which they afford, becomes personal property as soon as it is received by the landlord, and as such, is liable to taxation, in the same manner as personal property of any other description is assessed and taxed, which is not specifically pointed out by law, and assessed upon its own amount, separate from the bulk of the personal estate to which it belongs.

It has been represented, that in consequence of the construction given to those sections of the Revised Statutes which treat of the taxation of personal estates, assessors have not felt authorized to include the annual rents which a citizen may receive, in the esti-

mate of the amount of his personal property. The consequence is said to be, that many persons who possess large rent-rolls, and no other personal property, escape taxation altogether; and in other instances, their annual receipts from rents being disposed of before the arrival of assessment day, landlords are not obliged to pay any tax upon this portion of their personal estate.

Your committee conceive the instances must be unfrequent, in which, if assessors discharge their duty, individuals can escape the taxation of any considerable portion of their personal estate, whether it consists exclusively, or only partially, of annual income. And though there must be exceptions to all general inferences deduced from complicated legal enactments; yet they advance this opinion as particularly applicable to extensive and numerous possessions under lease, and which form a heavy aggregate amount of income belonging to one person. Thus considering rents as liable to assessment, only when they shall have become an annual acquisition to a personal estate, your committee believe that assessors may estimate the amount of rents which may have been received by a citizen during the year preceding their valuation, and may call it so much personal property, in addition to the sum at which he had been rated at the previous assessment. This method of proceeding, though it might not reach every known or supposable grievance, would obviate the most serious of the complaints which have been advanced, that ground rents entirely escape taxation. In what other way can assessors follow the increase of a personal estate derived from rents?

But your committee are inclined to indulge the opinion that rents arising on leases duly executed, may be assessed as debts due from solvent debtors on contract. That taxation of rents in this form would fall upon the tenant by virtue of the condition of his lease, as appeared to be apprehended by the Senator who introduced the resolution, may constitute a good reason, in the judgment of the Senate, for refraining from any legislation for the purpose of explaining and enforcing the statute. But as we are engaged in the investigation of a question unusually important and difficult, it may be worth while to ascertain how far this position can be substantiated.

By the Revised Statutes, vol. 1, page 887, chap. 13, property is made liable to taxation only in two characters, those of real and personal estates. In the third section of this chapter, "chattels,

debts due from solvent debtors, whether on account, contract, note, bond or mortgage, &c." are enumerated among the subjects of taxation which are declared to be included in the terms personal property or estates. Income and rents are not specified: But is not a lease a contract in law? and is not the rent annually accruing a debt due from a solvent debtor on that contract? The language of the statute bears out this construction; and it appears to be confirmed by the manner in which the Revisers treat this branch of the subject of taxation in their notes. The Revisers speak of "debts due for rents of lands," as "debts due from solvent debtors;" and they suggest to the Legislature that certain of these rents ought to be excepted from assessment, because they are cases of double taxation. In this conclusion, which they put in the form of a question, the Legislature did not agree; for that body enacted the 1st title of the 13th chapter, without making the alteration which the Revisers suggested. To furnish a perfect view of the argument which may be drawn from the notes, it is necessary to transcribe those parts of them to which allusion is made.

The Revisers say, "But they cannot refrain from submitting the inquiry, whether, in the taxation of *debts* and mortgages, the following should not be excepted?

"1. Debts due for the purchase money of lands sold, where the vendee is in possession, but where the title has not been conveyed, and there is no personal or other security for the debt.

"2. Mortgages, where the land is the only security for the mortgage money.

"3. *Debts due for rents of lands*, where the landlord has a right to re-enter on default of payment, but has no other security.

"In each of these cases, the *occupant will be taxed* for the full value of the land *as if the title were absolute*: and as the land itself furnishes in each case a security for the amount due to the vendor, mortgagee or *landlord*, they will be taxed as for *debts due from solvent debtors*, to the whole amount of such debts, if the land is sufficient security for the whole, and if not, then to the extent of its value. If there is no other security, there will be cases of double taxation."

From this it appears that the Revisers supposed that by the terms of the law as they reported it, and the Legislature passed

it, landlords would be taxed on "debts due for rents of lands," as for "debts due from solvent debtors," to the whole amount of such debts, "if the land is sufficient security for the whole, &c."

Now it is well known that the first and second exemptions proposed by the revisers are not excepted, but are included in assessments of personal property, by the construction universally given to the law; and as the revisers argue their third proposition under the conviction that debts due for rents of lands, are debts due from solvent debtors, and as the third section of the statute includes debts due from solvent debtors on contract, in the enumeration of items which compose taxable personal estates, and as no exception whatever was made by the Legislature, it inevitably follows that the framers and enactors of the law intended that debts due for rents of lands should be assessed as personal property.

The revisers say in their third proposition, "when the landlord has a right to re-enter on default of payment, but has no other security;" then in cases where the landlord *has* other security, it was not even proposed to make an exception. But these cases are very few. Recovery by distress is usually the only, and is a sufficient security in regard to the rents that may be due on farms, because of the improvements made upon them; and a warrant of distress is a certain reliance where expensive buildings are erected on lots held under long leases. No other security is known to be asked or given except it may occasionally occur in cities where the lease includes the tenement as well as the ground; because in this case the tenant can remove his property. The restriction, therefore, to a particular class of debts due for rents of lands, by which the revisers intended to confine their third proposed exemption, can have but little application to rents arising from lands under lease: And as the whole recommendation is entirely disregarded in the statute, we must infer that the Legislature intended that all debts due for rents of lands should be assessed, in the same manner as the items of personal property included in the two first proposed exceptions of the Revisers is now by that law assessed and taxed, viz: "debts due for the purchase money of lands sold," &c., and "mortgages where the land is the only security for the mortgage money." Are not those kinds of property both the subjects of taxation? If they are, how can debts due for rents of lands escape? Certainly not by force of the statute; for the three cases all stand in the same predicament in the third section, and the

argument or construction that shall release one of them from assessment and taxation, must release the whole; for debts due on contract for rents of land are debts due from solvent debtors, in the eye of the law, and are equally the subjects of taxation, as debts due for the purchase money of lands sold, or as mortgages are.

If a lease duly executed is a contract of the description intended by the third section, then it must be taxable the same as a mortgage given for land sold, and then it would, by parity of reasoning, fall on the principal, if the principal of a debt existed in the body of a lease.

But this is not the opinion entertained by the revisers, for they speak not of contracts of lease or the principal of a debt, but of *rents* as being debts due from solvent debtors. The assessment must therefore be on the amounts of annual rents which are due, and not on a capital of which the annual rents shall represent the interest.

If this reasoning is not sufficient to establish the fact, that assessors in the towns and wards where lessors reside, may assess rents as debts due from solvent debtors, it is presumed to be at least sufficient to justify assessors in making a computation of the annual rents received by landlords on contracts of lease, and to include such computation in the geneneral estimate of their personal estates. Perhaps the statute requires some explanation, for it must be inferred from the tenor of the law, and the notes of the Revisers, that it was not intended by the Legislature that a vast amount of personal property, under the denomination of rents, should escape taxation. The above process will, however, cure all defective valuations of personal estates connected with lands under lease. No legal objection can be made to the operation, and its equity cannot be disputed. Landlords who duly appreciate their advantages will not object to their being taxed in this manner to the full extent of their yearly income, in addition to their other personal estate in possession, as all parties have the right of reducing excessive assessments under the provisions of the 15th section of the 2d article of the chapter before referred to.

But from the justice and equity of charging a lease with taxation upon a capital, of which the annual rent represents the interest, your committee entirely dissent, not only for the reason already assigned from the notes of the Revisers, but because there is no

analagous case or provision of law to support the doctrine. The only case in which it is pretended that a precedent exists, is that of a mortgage. It is said that \$5,000 of annual rents are as valuable as \$5,000 of interest on a bond. There is no similarity between a capital raised and created by calculation, and the capital of a bond and mortgage; because, though a mortgage is a lien upon the land, and it may be admitted that a lease constitutes a lien of no less force and efficacy, yet an essential distinction exists in their character and products. Upon a foreclosure, the means to pay a mortgage are procured by a sale of the land, and the capital remains entire; whereas a lease in the event of non-payment of the rent, reverts back to the landlord. In this condition the computed capital is extinguished; the rent that may remain unpaid, must be satisfied by distress. In most cases, it becomes necessary to negotiate a new lease before the foundation can be laid on which to compute a new capital. But the dissimilarity between those two descriptions of property is obvious in this, that the money payable on a lease bears no interest; it is therefore not capital while it exists as unpaid rent, while interest accumulates upon a bond and mortgage, and like rent is payable at fixed days. In this respect, rent is equivalent to the interest on a bond and mortgage, but not to its principal. A mortgage has the land, a principal and interest attached to it. A lease has the land and rent; the principal is wanting.

It may be further remarked, that rent arising upon the lease of a farm, must, in numerous instances, be earned from the soil by the labor of the tenant before it has existence as property. You would not tax as capital what does not exist as rent. The principal of a mortgage represents the land itself; the rent on a lease represents the produce of the land; can a capital having no existence, and bearing no interest, be created out of unearned rent, or is a lease a substantive chattel or estate, like a mortgage which is given most usually in consideration of money loaned, or of a debt for which value has been received by the mortgagee. The argument is not extended to the case of a mortgage given in part payment of the purchase money of land, because here the mortgage is destitute of a consideration independent of the land, and it appears to be a decided case of double taxation; but in reality, the mortgagee may set off his debt on the mortgage against his personal tax, and if he possesses personal property to the amount of his debt, there is no double taxation.

The foundation principle of the law of taxation is, that all property shall contribute in proportion to its value. The exemptions which the statute allows, are in favor of specified items of property belonging to the institutions of learning, charity, religion, &c. But in regard to estates not exempted, the legislation of this State has admitted inevitable exceptions only to the general rule of equal taxation, and these are not exemptions, but cases of double taxation. Our laws have not established double taxation as a principle. The case of debts owing, on contracts for the sale of lands belonging to non-residents, (Laws, session of 1838, chapter 250,) furnishes the only instance of direct legislation on the subject, and is an exception to the general rule. This law grew out of a peculiar state of affairs in a section of the country in which lands, and contracts for the sale of lands, are owned by foreigners. The Connecticut School Fund, which is understood to be principally loaned in this State, was exempted from its operation in the session of 1834. This, therefore, is not an example applicable to ourselves, for in all cases of double taxation on the property of citizens, it is incidental, not designed; a consequence of the complication of business and of the defects of human institutions, and not a principle sanctioned by the deliberate judgment and direction of enlightened legislation.

We have seen that the revisers endeavored to get rid of double taxation in three specified cases. Their proposition did not succeed, evidently because the cases of double taxation could not be separated from those of single taxation, as in a bond and mortgage. How, in the management of assessments, can discriminations be made between mortgages for money loaned and those given as a part of the price of land sold? In the first case the tax on both is single as to each, because the consideration existed independent of the land. In the other the mortgage is a debt created on the sale of the land, and both the mortgage and the land being taxed for their full value, the taxation on the land is double for the amount of the mortgage. In justice, the amount of the mortgage should be deducted from the valuation of the land unless the purchaser possesses personal property. In this event he may deduct the debt he owes on the mortgage from the amount of personal property at which he is assessed, and then there will be no double taxation even in the case proposed. But should his personal property be less than the debt, his taxation will be double on the difference between them. Inequalities in taxation then, are in-

cident to the business of life, and are not sought to be imposed by our system of law.

Is there in reality any evil in long or perpetual leases; and if mischief lurks beneath their folds, is the evil of such magnitude as to require that the principle of double taxation should now first be introduced into our statute book, and a capital be raised by computation of the rent of a lease for the purpose of imposing the tax? If any doubt remains on the mind of the Senate as to the correctness of that construction of the Revised Statutes which permits the taxation of rents as debts due from solvent debtors on contract, or by estimating, in the manner suggested, their annual amount; and if it should appear to be just and necessary to make a distinction between long and short leases and annual incomes from rent, and to impose taxation exclusively on leases having twenty-one years or more to run from the date of their execution, or on the capital thereof, in conformity with the views entertained by the Senator who moved the resolution, a bill might be brought in to accomplish that object.

However confidently your committee might be inclined to maintain the construction which they have given to the statute, they are aware that it may be assailed both in regard to its accuracy and as to its sufficiency in reaching the object desired; they will therefore proceed to observe, that if it were proposed to levy a general income tax, the questions to be discussed would not be difficult of solution. But your committee have no reason to suppose, that it was the design of the Senate that the subject should be presented in that form, though it is the undisputed mode in which a tax on ground rents receivable on long or perpetual leases can be imposed with safety to the interest of the tenant, and with justice to the landlord. A general income tax would include not only long and short leases, and the annual lettings of all tenements and of farms on shares, but also a great variety of incomes received for services rendered. A measure so odious was not contemplated by the resolution or by the petitioners. The object appears to be limited to the procurement of a law, the provisions of which shall be directed against a certain class of leases and estates.

As the proposed tax is not intended to apply to all leases, those having from one to twenty years to run, as well as to such as are

given on lives or without limitation of time, it would be necessary to define and fix a period by law within which contracts of lease shall be exempt from assessment, and beyond which they shall be subject to assessment and taxation. Out of such a law a question would arise of deep importance to all tenants holding under that class of long leases which are guarded by strong and comprehensive covenants for the payment of taxes.

The bill to be brought in with the intention to tax the computed capital of leases, would be drawn as suggested to your committee by the mover of the resolution, in this form.

“ All income upon ground rent reserved upon permanent leases, or leases having twenty-one years or more to run from the date of their execution, shall be denominated personal property, and be liable to assessment and taxation, in the same manner that money secured by bond and mortgage is assessed and taxed.”

This description would probably include all the cases to which the petitioners call the attention of the Legislature. But if such a law should be passed, it would still remain a question who is bound to pay the tax, the landlord or the tenant. It will be seen, from the transcripts of the covenants which your committee now furnish, from two leases belonging to that particular class of contracts against which the law is desired to operate, that the covenants are unusually comprehensive, inasmuch as they provide against legislative enactments, whether they are directed against the property in possession of the tenant or against the lessors in their individual characters.

In the Van Rensselaer leases the covenants declare, that “ the tenant will also well and truly discharge and pay all taxes, charges and assessments, ordinary and extraordinary, taxed, charged or assessed, and which may hereafter be taxed, charged or assessed to or upon the said hereby granted premises, or upon any part or parcel thereof, or upon the said Stephen Van Rensselaer, his heirs, executors, administrators or assigns, by any act of the Legislature or any legal authority *for and in respect of the said premises*, or any part thereof; and indemnify the said Stephen Van Rensselaer, his heirs, executors, administrators and assigns, against any damages, costs and charges which he or they, or any part of them, may sustain or be put to, by reason of any neglect in the

due and punctual discharge and payment of the said taxes, charges and assessments."

Your committee have also been furnished with an extract, in pencil, from a Livingston manor lease, in which the covenant for the payment of the taxes runs as follows: "which rent is to be paid without any deduction or abatement of or for any manner of taxes, charges, assessments or impositions whatsoever, that have been or shall be taxed, charged, assessed or imposed upon the hereby demised premises, or any part thereof, or upon the party aforesaid of the *second* part, his heirs or assigns, for or in respect thereof, by any power or authority whatsoever."

The expressions in both these covenants, intended as it is certain they were to protect the landlord against legislative action, in regard to the imposition of taxes upon his reserved rights, by covenanting in this peculiar manner with the tenant, would appear to be sufficient for that purpose, if by a special law those rights were clearly indicated as the objects of taxation.

The question to be propounded would be whether a tax on a capital raised by computation from the income of the land, and levied on the landlord, would be a tax "for or in respect of the said premises or any part thereof," for which, and for any damages resulting therefrom, indemnity is to be made by the tenant.

It might be argued that a tax laid on a capital, of which the annual rent represented the interest, was imposed either upon a fictitious capital or upon an aggregation of rents sufficient to form the capital. A fiction can not be taxable, and an assessment founded upon the proceeds which are to be derived at some future period from the cultivation of the soil or from the use of a tenement can scarcely be considered in any other light than an imposition for or in respect of the premises. Does not a capital so collected together, the existence of which is anticipated, in reality reside in the land? If it have existence, where can it be found? Not in the lease, nor in the coffers of the lessor! It must be in the land.

Until the legal interpretation of the covenants shall have been discussed and carefully examined, it is not probable that any member of this body would be willing and ready to pronounce a definitive judgment as to the extent of their operation; or to legislate upon a subject connected with them, while his mind remained in a

state of uncertainty. If it should be finally decided, that by the terms of the leases referred to, tenants are not bound to pay the tax proposed to be levied upon the landlord, yet the true construction of the covenants involves differences of opinion, which have already appeared, and the settlement of which may require all the acumen of the most sagacious jurists.

With the voluntary contracts of individuals, made according to law, the Legislature have no power to interfere. If the consequence of our legislation, in the manner proposed, should be to throw an unexpected burthen upon the tenant, the design of the resolution would not only be defeated, but the act would recoil upon the petitioners themselves.

For these reasons, your committee do not feel prepared to assume the responsibility of proposing a measure which they might not possess the ability to advocate or defend. But if they shall be instructed by the commands of the Senate, they will cheerfully bring in a bill conformably to the views which may be entertained by a majority of its members.

In regard to the operation of a tax law, such as the petitioners seem to apply for, upon contracts of lease to be made hereafter, your committee beg leave to observe, that they suppose the tax would in all cases eventually fall upon the land.

The rents arising upon annual lettings or short leases of estates, are as valuable as those which accrue upon perpetual or long leases; and therefore taxation upon both should be equal: There is no reason in nature or justice, why a distinction should be made between them. But it is objected to this, that if you tax annual rents, or those accruing upon short leases, the lessor will make a covenant with the tenant, that the latter shall pay the tax. Will not the same consequence ensue in relation to long leases? And if the bargain or article of agreement is binding in the one case, can its legal force be overthrown by legislation in the other. You may limit the tenure of such leasehold estates as may be created hereafter; but you cannot take away the fee or the possession from the rightful owner; so you may ordain what shall constitute a valid bargain, upon the principles of moral justice, but an agreement made in conformity with law, no power can annul. If this course of reasoning is just, then it must be admitted that a covenant can as well be inserted in a long as in a short lease, which shall throw

the tax on rents upon the tenant. And it follows that contracts for the payment of taxes can be agreed upon between the lessor and lessee, which shall encumber the tenant with the taxation on the rents of the land, with the same certainty that they oblige him to pay the taxes on the land itself. The necessary deduction from this position must be, that in regard to contracts of lease to be made after the passage of a law taxing rents arising on long or perpetual leases, covenants will be contrived to suit the provisions of the law, and the tenant will then as now, make his bargain in the best way he can, taking into consideration the rent and taxes he agrees to pay on the one hand, and the benefits he may acquire from the undisturbed possession of the land on the other. It is therefore not perceived that any advantage whatever is to be gained for the general weal, by the proposed alteration in the principle of taxation, as it is laid down in the Revised Statutes, in so far as the law to be enacted may operate upon contracts of lease to be made after its passage. An increase of taxation, whoever paid by, is in fact only an increase of burthen upon the productive labor of the country. Free trade, small expenditures and universally light taxation, must be the leading principles of every government which truly consults the best interests of the greatest number of people. But equality in taxation, though it is clearly impossible to accomplish it in all cases, is really just and desirable; and your committee are not indisposed to accede to any proposal calculated to produce this effect wherever inequality exists. Landlords and tenants are already liable to taxation upon their personal as well as real estates. If the whole of those estates are not included in assessments, it must be the fault of the assessors. If it is intended to lay a special tax upon the landlord, under the conviction that he is allowed to escape his just portion of the public burthens; and if it is known, that in the cases to which the petitioners allude, this tax will not fall upon the tenant, those who possess clear and satisfactory views of the case, have the right to propose such measures as they may deem necessary and suitable.

Mill streams and unlocated water rights are represented as possessing a value above that slight interest which the tenant may have acquired, according to the terms and reservations contained in his lease. As the landlord may claim restoration of all mill streams, and appropriate them to his own use, or sell them to another, the tenure by which they are hold is considered in effect, that of sufferance merely. Your committee are informed, that assessments on this

description of property are made on the same rates as to its value, as are made on the other parts of the estate covered by the lease, and that the practice of estimating a mill stream as possessing no higher value than the adjoining lands has generally obtained in the county of Rensselaer. This valuation of a mill stream is supposed to be too low compared with its intrinsic worth. It is said that the practice appears to have taken its rise from the consideration that the tenant having possession merely, but no higher interest in a water right, should not be taxed for any more than the whole estate included within the boundaries given in the lease, is worth, upon estimation of it as if the territory was all land, and no mill stream existed. In this way, the actual and existing difference in the value between the rates at which mill streams and water rights are now assessed, and the sums they would sell for to pay the just debt of a solvent debtor, escapes taxation. This difference is supposed to be an estate existing in the lessor, and not in the tenant, and it is inferred that it should be assessed as real estate belonging to the lessor.

The division of one piece of property into two kinds of estate, each taxable for its relative proportion of the value of the whole, would require almost too nice a discrimination to be applicable to the practical affairs of life. But the Revised Statutes ordain "that all lands and personal estate within this State shall be liable to taxation." Vol. 1, page 387, § 1. And on page 389, 2d section, it is declared that the land may be assessed in the name of the *owner* or *occupant*; and at page 393, 17th section, it is ordered "that all real and personal estate liable to taxation, &c., shall be estimated by the assessors at its full value, as they would appraise the same in payment of a just debt due from a solvent debtor."

These provisions would seem to render further legislation on this point unnecessary, as there is ample power to assess all real estate upon the tenant, if the possession is in him, or upon the landlord, if the reservations excepted out of the grant, which the lease purports to convey, are so broad and conclusive as to leave not even a possessory right in the tenant, but to retain in the landlord an exclusive and absolute estate in the premises excepted.

To adjudicate upon points so complicated and important as these, it would be necessary to inquire whether the grant by the boun-

daries, conveyed possession of the parts excepted, including of course the water rights, and whether the tenant could maintain an action of trespass against an intruder on those rights. Besides these, other questions of law would arise which could be decided with due discretion only after an impartial hearing by the proper tribunal.

Whether, therefore, the owner is liable to taxation on the reservations in the first instance, or whether the occupant is liable, or whether if liable as occupant, he has redress back upon the owner, are also questions of law to be determined by the judicial tribunals. The judgment to be rendered would be governed by the construction to be given to the covenants for the payment of taxes. It would be proper to consider the import of the language, the intention of the parties, and the character of the clauses which specify and except certain reservations out of the grant, as it is described and conferred by the boundaries. But as the statute has made provision for the assessment and taxation of every description of real estate, there can be no necessity for any further legislation on this branch of the subject.

To the complaint that estates under lease are assessed at a low rate, it may be answered that the statute contemplates no distinction between leasehold and freehold estates in the valuations at which they are to be assessed and charged with taxation.

Your committee are informed that the practice in the city of New-York corresponds with this opinion, and that no distinction is there made between estates held under lease or in fee. They are both assessed as if the estate was absolute and the land uncumbered; and such undoubtedly was the intention of the revisers and of the Legislature, for in their notes before quoted the revisers say: "In each of these cases the occupant will be taxed for the full value of the land as if the title were absolute." It is impossible for human ingenuity to exhibit a reason why an estate held under a limited tenure, should be assessed at a diminished rate on that account, if it be admitted as it certainly must be, according to law and the practice of the whole country, that a freehold cannot be appraised at less than its value because it is subject to a mortgage. As this is the settled and only true construction of the law, assessors can have no right to reduce the value of an estate because it is a leasehold, or held by an uncertain tenure. But as they commit a much less excusable infraction of law very

generally throughout the country in regard to estates held in fee, by undervaluing them one-half or two-fifths, there will be no sufficient reason why a new law should be passed to enforce true valuations of lands held under lease, until it be shown that this construction of the statute is erroneous, and that its language does not convey the intention which the revisers have attributed to the section to which their comment relates.

The Revised Statutes contemplate every estate as existing for taxable purposes, either in the name of the owner or occupant, and to be assessed either to the one or the other; and if unoccupied and not owned by a resident of the county in which the estate lies, then it may be assessed to the owner as a non-resident.

Water is not taxable, but a water course suitable for the employment of a mill confers upon the adjoining property a value distinct from the intrinsic worth of the soil. The two values are blended into one. Any tax laid upon this estate can be collected from the owner or from the occupant; and if default be made in its payment, the property can be sold in discharge and satisfaction of the debt which has been thus incurred, by pursuing the course prescribed in the statute.

Your committee concur in opinion as to the two following propositions: That ground rents may be included in the yearly estimate and assessment of personal estates, the amount of the assessment being subject to reduction by the oath of the owner, as in all other cases of assessments on personal property. That water right reservations are liable to assessment and taxation, like every other real estate, to their full value, to be ascertained in the manner prescribed in the statute, and that no regard is to be paid to the tenure by which they are held, but the valuations must be made upon the property as if the title were absolute.

The policy of prohibiting the creation of estates by the instrumentality of long or perpetual leases having been committed to another committee, the finance committee have not felt at liberty to approach that subject.

STATE OF NEW-YORK.

No. 84.

IN SENATE,

April 17, 1835.

REPORT

Of the Canal Commissioners, on the petition of Samuel Farwell.

The Canal Commissioners, to whom was referred by the Senate the petition and documents in relation to the claim of Samuel Farwell, by the following resolution, "Resolved, that the affidavit of Simeon Ford and the other documents in relation to the claim of Samuel Farwell be referred to the Canal Commissioners, with instructions to report thereon,"

REPORT:

The facts in relation to this claim within the knowledge of the undersigned are principally set forth in a report made by the Canal Board to the Assembly, on the 27th day of January, 1835. Since that report was made, it appears that the affidavits of Benjamin Wright and Simeon Ford, Esquires, have been presented in support of the claim. The affidavit of Wright states that he was chief engineer on the Erie canal: that he knew the work done by the petitioner: that he was present at the meeting of the Canal Board, about the first of February, 1834, when the claim of Messrs. Farwell's for extra allowance for procuring limestone was under consideration: that the same was, with the assent of said Farwells, referred, by the Canal Board, to him as the chief engineer for examination, estimate and opinion thereon: that he made a careful estimate and examination, and reported the result thereon to the acting Canal Commissioner, with his opinion that the same, to the extent reported, ought to be allowed; and that

he then supposed and believed that this adjustment, estimate and decision was to be the final close of the whole matter.

The affidavit of Ford states, that early in the month of February, 1824, he attended with Mr. Samuel Farwell before the Board of Canal Commissioners in the city of Albany as counsel for him in relation to a claim for labor done on the Erie canal, in constructing the stone work between Amsterdam and Schenectady: that the claim was then, by the agreement of the Canal Commissioners on the one part, and said Farwell on the other, referred to Benjamin Wright, Esquire, then chief engineer on said canal, to liquidate and settle, and, under an express agreement, as deponent then understood and most fully believed, and as he now fully believes, that the award or report of said Wright should be final and conclusive between the parties.

The undersigned have no knowledge in relation to this reference but such as they have obtained since the claim was referred to them by the Senate: but they are informed that the Canal Commissioners considered the reference of the claim to the engineer as an ordinary reference to obtain facts to enable them to settle understandingly with the contractors; and not a reference to make an award that should be final and conclusive. The report of the engineer appears to be in the ordinary form, merely expressing his opinion as to the sum that ought to be paid, not awarding and determining the sum that should be paid.

The reason, as the undersigned are informed, why the sum reported by the engineer was not paid, was that the acting Commissioner was of opinion that the contractors did not put a sufficient quantity of water lime or cement in the work: and for the same reason the Canal Commissioners were not willing to pay but a part of the sum reported by the engineer, when the claim was referred to them for settlement by the Canal Board in 1832.

Respectfully submitted.

JONAS EARLL, JUNIOR,
MICHAEL HOFFMAN.

April 16, 1835.

STATE OF NEW-YORK.

No. 85.

IN SENATE,

April 20, 1835.

REPORT

Of the committee on the militia, on the resolution from the Assembly, requesting the Governor to procure a suitable sword to be presented to colonel William J. Worth.

Mr. Gansevoort, from the committee on the militia, to which was referred the resolution from the Assembly, requesting the Governor to procure a suitable sword, with appropriate devices and emblems thereon, and to present the same to colonel William J. Worth, a citizen of this State, of the United States army, as a token of the high estimation which his native State entertains for his distinguished talents as an officer, and personal bravery evinced in several battles during the late war with Great Britain,

REPORTED:

That the committee have duly considered the said resolution, and unanimously recommend its adoption by the Senate. It has been the policy of all governments to reward distinguished bravery and to furnish incitement to deeds of patriotic valor. The presentation of a sword is the mode which has been adopted in this country, as most consistent with the simplicity of our republican institutions. It is proposed by the resolution, (which has passed the Assembly without a dissenting voice,) to confer this compliment upon one of the native sons of New-York, who, in a long career of military service, has distinguished himself by personal bravery, disinterested patriotism and an ardent devotion to the cause of his country's glory.

[Senate No. 85.]

The services rendered by colonel Worth form a part of the history of the Republic. The committee, therefore, state generally, that at the age of eighteen he entered the military service as a subaltern, and was promoted gradually to his present rank. He served during the last war on the Niagara frontier; distinguished himself in the actions at Fort George and Chryslers, on the St. Lawrence, and in the battles of Chippewa, Bridgewater and Lundy's Lane. In the last battle he was severely and dangerously wounded. For his personal bravery and good conduct in these battles, and his zeal and intrepidity in various skirmishes, (which furnish the best tests of military talent and merit,) he has been rewarded by the general government with promotions to his present rank.

As a tactician colonel Worth is not excelled by any one. For several years he filled, with high reputation, the important post of instructor in tactics at the military academy at West Point. In all the essentials of a soldier, colonel Worth was not surpassed by any officer of the gallant army of the Niagara during the last war. Major-general Lewis, with whom he served during that war, in a letter to the President of the United States, sums up the character of colonel Worth in these words:

"As a gentleman, 'he possesses the strictest honor, uprightness and integrity: as a man, intelligence, information and many virtues, unalloyed by vicious habits: as a soldier, he is active, brave, judicious, industrious, and ever strictly attentive to the discharge of his various duties: as a tactician, excelled by no one."

The committee indulge the hope that this resolution will receive the unanimous approbation of the Senate. If conferred by a majority it would be but a faint compliment to this gallant officers; and the committee so well know the nobleness of the man and the chivalry of the soldier, that they feel bound to say, that colonel Worth would rather not receive the sword, unless tendered by the unanimity of the Legislature.

STATE OF NEW-YORK.

No. 86.

IN SENATE,

April 22, 1835.

REPORT

Of the select committee on the petition of Adam Hoops.

The select committee to which was referred the petition of Adam Hoops,

REPORTED:

Upon an investigation of the interesting documents presented by the petitioner, and the reports heretofore made to the Senate upon the subject, it appears that Mr. Hoops, in January, 1808, entered into a contract with the Holland land company, for the purchase of 20,000 acres of the company's lands, situated in the now counties of Cattaraugus and Allegany: that the primary object of the petitioner, in making said purchase, was the design on his part, (particularly explained to, and approved by Mr. Paul Busti, the then general agent of the Holland land company,) to open a communication between the eastern and western States, through the lands of the company, and the establishment of a village on the Allegany river, as a place of embarkation, an object no less desirable to the owners of the soil than beneficial to the State.

In the contract the company stipulated to open a wagon road, if required, from a point designated on the Genesee river to the

Alleghany river, near the present village of Olean. "The road mentioned was not made in compliance with the terms of the contract, whereby the improvements contemplated by Mr. Hoops were retarded, and serious embarrassments were experienced by him in meeting his payments to the company."

The committee of the Senate who reported upon this subject in 1823, (Senate Documents 118.) very justly remark, "that the State is much indebted to the early and patriotic exertions of Major Hoops in the settlement of, until then, an almost unexplored portion of its territory; and that his enterprising spirit has overwhelmed him in ruin. Major Hoops is one of the few surviving officers of the revolution, and has devoted a large portion of his life to the most meritorious services. To witness such a man, in the decline of life, divested of the means of support he had for many years been laboring to secure, gives rise to the most painful reflections." But, after due consideration of all the circumstances connected with the subject, the committee are compelled, by their sense of official obligation, to say, that whatever hardships the case of Major Hoops may exhibit; however deeply they may, as fellow-citizens, feel the injurious consequences to him, from a failure on the part of the Holland company to perform their contract, or from his exertions to settle a remote and uninhabited quarter of this State, yet it does not appear to them to be a subject proper for legislative action.

The committee, however, think it not improper to recommend, in the hope that the company may duly appreciate the claim of the petitioner, that he communicate to the general agent a letter dated 15th November, 1834, addressed by the late Chancellor Kent to Peter S. Henry, Esq., as counsel of Major Hoops, which letter has been submitted to the committee, and from which it appears to be the opinion of the late Chancellor that, although Major Hoops has no claim that could be enforced in a court of law, yet the zeal displayed by him to advance the interests of the Holland company, in the settlement of their lands, affords ground for a strong appeal to the justice and equity of said company for remuneration.

The committee, therefore, recommend that Major Hoops submit this letter to the general agent of the Holland land company, with entire confidence that it will receive from him that attention which is due to the subject of it.

STATE OF NEW-YORK.

No.87.

IN SENATE,

April 27, 1835.

ANNUAL REPORT

Of the affairs of the Ontario Savings Bank, as they
existed on the 1st day of January, 1835.

TO THE LEGISLATURE OF THE STATE OF NEW-
YORK.

The board of managers of the Ontario Savings Bank, in pursu-
ance of the tenth section of the act incorporating the said bank,
passed April 20th, 1830, which requires the corporation to make
an annual report, to the Legislature of this State, of their funds
and investments, hereby respectfully report:

First.—That the books of this institution were first opened on
the 28th day of April, 1832, since which time, there has been de-
posited the sum of two hundred and one thousand two hundred
and eighty-four dollars and thirty-five cents, and one thousand se-
ven hundred and thirteen deposits.

Second.—That there has been drawn out, in one thousand four
hundred and eighty-nine drafts, one hundred and sixty-one thousand
two hundred and thirteen dollars and forty-nine cents, leaving in
bank, on the 1st day of January, 1835, forty thousand and seven-
ty dollars and eighty-six cents.

Third.—All the moneys in the bank at the date last aforesaid,
are loaned out on satisfactory security, according to the provisions
of the act of incorporation.

WALTER HUBBELL, *President.*

Dated January 1st, 1835.

[Senate No. 87.]

Ontario county, ss.

Walter Hubbell, president, and Henry F. Penfield, secretary of the Ontario Savings Bank, being duly sworn, say, and each for himself says, that he believes the within report to be true.

WALTER HUBBELL,
HENRY F. PENFIELD.

Sworn this 18th day of April, 1835, }
by H. F. Penfield, before me, }

ANSEL MANN, J. P.

Sworn this 21st day of April, 1835, }
by Walter Hubbell, before me, }

OLIVER PHELPS, *First Judge of*
Ontario county Courts.

STATE OF NEW-YORK.

No. 88.

IN SENATE,

May 11, 1835.


REPORT

Of the select committee, consisting of the Senators of the 3d district, on the memorial of sundry inhabitants of the city of Albany, in regard to the manufacture of beer.

Mr. Edmonds, from the select committee, consisting of the Senators of the 3d district, to whom was referred the memorial of sundry inhabitants of the city of Albany, in regard to the manufacture of beer,

REPORTED:

It appeared from the papers submitted to them, that it was charged that the ale, beer and porter manufactured in this State was adulterated by the use of various drugs; some of which were represented to be of a noxious and unwholesome quality. Those charges were made, so far as the committee were advised, in a paper published in the city of Albany, and in order to investigate their truth, the committee caused a letter to be addressed to the conductor of that journal, requesting such information upon the subject as it might be in his power to communicate.

The Senate is already aware, that he refused to comply with that request, unless the committee should be cloathed with power to send for witnesses, and to take their examination. His letter of refusal is annexed to this report, (marked ). When the Senate refused to grant such power, the committee were desirous of proceeding no farther in the investigation. But the manufacturers expressed so strong a desire of having an opportunity to exculpate

[Senate No. 88.]

themselves, from the charges, that the committee deemed it strict justice to afford them that opportunity. They, therefore, prepared a series of interrogatories, reaching the whole case, as they believed, and directed a copy of them to be delivered to each of the brewers between and including Lansingburgh and Brooklyn.

Answers, under oath, have been received from the following persons:

E. Parmelee & Co. and J. Dougrey & Co, Lansingburgh; Nash, Burt & Co. and J. and N. Wallace, Troy; Fidler & Ryckman and their workmen, Andrew Kirk, Peter Ballantine and his workmen, White, Barker & Co., John Taylor and his head brewer, and Robert Boyd, Albany; George Robinson, Hudson; Hazard & Gardner, Catskill; M. Vassar & Co., Poughkeepsie; Law, Beveridge & Co., Newburgh; D. R. Tittle, Dobbs' Ferry; John Johnson, Brooklyn; R. C. Wortendyke and his son, C. & S. Milbank, Wm. McMurtee & Co., Sagebury & Sherwood, W. B. & A. Miles, David Jones, J. M. Mounsey & Co. and workmen, S. Samer, Henry Bunce and his foreman, Thomas Kelley, Wm. Kinch and his foreman, and George Ketching and his foreman, New-York; Thomas Reed & Son, Troy.

It will be seen from the interrogatories, (a copy of which is annexed,) that the principals of the different breweries were required to give the names of their workmen, with the view, on the part of the committee, to have each workman also examined. But the committee being limited, both as to power and time, their examination was not insisted upon, and indeed was not directed to be taken. So far as the answers of such workmen have been given, it has been entirely a voluntary act on the part of their employers.

The answers accompany this report, and are so full and explicit, as to leave no doubt on the minds of the committee, that all of the establishments above mentioned are guiltless of the charges made against them.

Malt, hops and water are the only ingredients used in the manufacture of beer; except that in some of the breweries, a little fine salt, and in some cases, honey, molasses or sugar, are used. Malt, honey, molasses and sugar, are used for their saccharine matter; hops, for their taste and preservative qualities; salt, for its flavor;

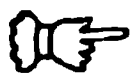
and burnt sugar sometimes, for colouring. The difference in colour is principally owing, however, to the different degrees of heat used in drying the malt. The difference in the taste, to the proportions of malt or hops used—to the fermentation, to the variations in drying, and to other causes which are detailed in the answers, and which satisfactorily account for these differences, without a resort to the use of any articles other than those which are admitted to enter into the composition of the beer or ale.

Every answer denies, unequivocally, the use of any noxious or unwholesome drug, or any other article than malt, hops, water, sugar, honey, or molasses and salt.

The committee cannot discover any inducement which the manufacturer in this country has to use those drugs, or any of them. In England, the high duties which are imposed on the malt and the liquor, render the adulteration a source of great profit to the manufacturer and the seller. The absence of such duties here, removes the inducement. The tax in England on ardent spirits, produces the temptation to use intoxicating drugs in malt liquor. There is no such tax, and consequently no such temptation in our country. The causes of the difference in the respective countries are, however, so well explained in some of the answers, particularly in that of Mr. Fidler, that the committee do not deem it necessary to enter into a more full examination of them here.

It will be observed by some of the answers, that some of the brewers, several years since, tried the experiment of using drugs in their beer—induced to do so, probably, by the English publications, but it is averred in every instance, that the experiment failed—the drugs spoiled the article, and the practice from thenceforth was abandoned. And the committee are persuaded that the Senate will find in the testimony good reason for believing that the practice has not been resumed, and is not now followed, at least, in those establishments whose answers are hereto annexed.

DOCUMENTS.



Letter from E. C. Delavan.

Albany, April 16, 1835.

Dear Sir,—

I have received your favor of yesterday, saying “that the committee to whom has been referred the duty of investigating the manufacture of beer, are desirous of procuring such light and information upon the subject, as it may be in their power to give.” I presume this request has not been made on the supposition that I have any personal knowledge on the subject, but in consequence of my connection with the *Temperance Intelligencer*, in which communications have appeared, stating that unwholesome drugs are used in the manufacture of strong beer. Such communications have been received, and as they proceeded from sources which entitled them to credit, I have deemed it my duty to the public to give them publicity; without, however, pretending to any personal knowledge of the matter. Although I disclaim any personal information on this subject, I have no doubt that deleterious drugs are to some extent used in the manufacture of strong beer, and that this fact can be satisfactorily established, if the committee shall be authorized to send for persons and papers. The examination of such persons as may *volunteer* to attend and give evidence will not, in my judgment, be such a thorough and satisfactory investigation of this deeply interesting subject, as its great public importance demands. If any thing is wrong, those who know it, and are interested in concealing the truth, will not be likely to appear before the committee; and the examination of a hundred persons employed about brewing establishments, to show that they do not know of the use of drugs, could not be deemed a satisfactory investigation. It may be that drugs are used in one brewery and not in another, and where they are used it may only be known to *one person*, while all the other hands are ignorant of the fact. The only mode, therefore, in which the question can be satisfactorily decided, is by authorizing the committee to call for *unwilling* as well as *willing* witnesses. When this shall be done, I will furnish the committee with the names of persons who can give important testimony on the subject.

If drugs are not in fact used, in the manufacture of beer, then it may be presumed the persons interested in that branch of busi-

ness will unite in the request, to arm the committee with power to probe the question to the bottom. If, however, it should not be deemed expedient to take this course, I shall not feel myself called upon to take any particular interest in the investigation, and shall have no communication to make to the committee.

I am, sir,

Yours, with great respect,

EDWARD C. DELAVAN.

Interrogatories addressed to the Brewers by the Committee.

STATE OF NEW-YORK, }
Senate Chamber, April 18, 1835. }

The select committee of the Senate, to whom has been referred a memorial in reference to the manufacture of ale or strong beer, beg leave to request your answer to the following

INTERROGATORIES:

1. Are you engaged in the business of brewing ale, porter or strong beer? If so, where, and for how long a time have you been so engaged, and in whose employ?

2. How many workmen have you now employed in that business, and what are their names, and what is the particular branch of the business in which each is engaged?

3. Have coculus indicus, nux vomica, opium, laurel leaves, copperas, alum, sulphuric acid, salt of steel, aloes, capsicum, sulphate of iron, or copperas, or any other deleterious or poisonous drug or compound, or any or either of them, or any extract or essential property thereof, been, at any time, or in any quantity, directly or indirectly infused, mixed, put or used in beer, ale or porter, either when being manufactured or when preparing for market? If aye, at what time, in what quantities, and by whom?

4. Have you, or any person in your employment, or by your procurement, or with your knowledge, consent or approbation, caused or procured any such drugs or compounds, or the extract or essential qualities thereof, to be infused, mixed, put in or used in ale, porter or beer? Have you, or any one on your behalf, at any time purchased or owned, or had in your possession, any of the said articles? If aye, when, in what quantities, and for what purpose, and to what use were they or any of them applied by you or any one on your behalf?

5. Is there any inducement for the use of any of said drugs or compounds in the manufacture of ale, beer or porter? Is the use thereof a matter of profit or loss to the brewer? Is there, in this respect, any difference between the manufacture in this country and in England, and what is that difference and the cause thereof?

6. What are the ingredients or materials of which the beer, ale or porter, manufactured by you, or at your establishment, or un-

der your view or supervision, are composed? State all of them, and the qualities and properties of each, and the reasons for their use; and also the reason for, and the causes which produce the different shades, strength and flavor of the beer, ale and porter, by you manufactured, and particularly that flavor which gives to some beer the taste of aloes.

Answer of L. Fidler to Interrogatories addressed to the Brewers.

1. L. Fidler, being duly sworn, says, that he is a brewer of ale and beer, and has been engaged in that business for more than sixteen years last past, in the city of Albany, and is now of the firm of Fidler & Ryckman.

3. I never have used, in any way or manner, any of the articles mentioned in the 3d interrogatory, in any description of malt liquors, and answer in the negative to the whole meaning of the interrogatory, as far as may practice extends.

4. I have not, nor has any other person for me, to my knowledge, ever used any of the articles mentioned in the 3d interrogatory, and I feel confident that they never have been used in any malt liquor made by me, or any other person in my employ, nor has any deleterious drug of any sort been used in the malt liquors I have made, or had manufactured, to my knowledge

I have purchased several times sulphuric acid, in small quantities, for cleaning kettles, and for no other purpose. I many years since, purchased for six pence, a small quantity of copperas, and used it in ink, and have not had or used any of the articles mentioned in the 3d interrogatory, excepting as here stated, during the sixteen years last past.

5. There is no inducement, as far as interest is concerned. I will explain, by stating the circumstances that brought them into use in England. The introduction of intoxicating drugs in England, as ingredients in malt liquors, is well known to all who have knowledge of the history and practice of brewing in that country, to have originated with the excessive duties imposed on malt, hops, and *more particularly malt liquors*. A direct tax on strong beer, of say 10s. sterling or \$2.22, and 2s. sterling or 44 $\frac{1}{2}$ c. per barrel on table beer, had not been levied on brewers but a short period, before some publicans and brewers, in order to evade the duties and secure to themselves the amount of difference between these duties, began the system of adulterations. The publican mixed honey, treacle, sugar, or some other saccharine matter, to give body or sweetness, and coculus indicus, to intoxicate, and have the appearance of the spirit of strong beer, and then sold small adulterated table beer for strong beer. Some small brewers adopted the same nefarious practice. To shew this adulterating system, and the gain of those concerned in it, I will take the price of table beer in 1824, at 16s. sterling per barrel, exclusive of duties; the weight of this table ale would be about 18lbs. by Dicas Sacharometer, (the excise instrument,) and 24lbs. would be about the weight of strong ale. The additional quantity of malt necessary to make table

beer strong beer, would cost 88 cents per barrel, the cost of honey, treacle or sugar, and coculus indicus, would cost at least from 90 to 92 cents per barrel; and it is a fact, taking the average price of honey, treacle or sugar, barley is the cheapest saccharine for making beer. These prices give us the following results:

A barrel of small beer cost,.....	£0 16 00
Additional malt, say	0 04 00
Duty on strong beer, say.....	0 10 00

£1 10 00

A barrel of small beer cost.....	£0 16 00
Coculus indicus and sugar, say.....	0 04 03
Duty on small beer, say.....	0 02 00

1 02 03

£0 07 09

A man by this fraud on the excise, or tax, gains one hundred and seventy-two dollars for every hundred barrels of beer adulterated and sold. A brewer in Plymouth, (England,) as stated in the reports of persons convicted of fraudulent practices, gained by evading the duties, the enormous sum of £32,000 sterling, or \$142,080.00 in a few years.

It is impossible to give the fine flavor to beer by any other material than malt and hops, and drugs will not impart keeping qualities to beer. The inferiority of adulterated beers, provided they could be made a trifle cheaper, must eventually be a loss to the person who makes them, as they cannot come in competition with the pure malt liquors in this country. Another cause may be mentioned why beer has been so much adulterated in England, which is, the high duties on home spirits, and imported brandy, gin and rum: these duties almost prohibited the poor laboring classes the indulgence in them, and it was so intended by the framers of those laws, in order to encourage the use of a nourishing and healthful beverage, to promote economy and the agricultural interest. These duties on ardent spirits, prompted those inclined to intemperance to drinking old ales, because they contained more alcohol, and sooner produced the stimulating effects of ardent spirits. To gratify this propensity, brewers of "home made beer;" publicans, and brewers with small capitals, who where not able to keep a supply of 7, 14 or 21 year old beer, resorted to the expedient of mixing sulphuric acid to give the beer the smack of age, and coculus indicus, to intoxicate.

These are the reasons why drugs were introduced in England; **THEY DO NOT EXIST IN THIS COUNTRY**, and as nothing is to be gained by adulterating, *I do not believe they are used.*

In America, the drunkard is no patron of the brewer; he is not willing to distend his stomach, lose his time, pay five times as much to get intoxicated, as he must, if he uses beer instead of ardent spirits.

6. The materials of which I make beer and ale, are malt and hops, together with a trifling of common salt; these are the only

ingredients used by me or for me, nor have I ever used, or had others to use for me, any other materials with the exception of a very few times, and then only by particular request of some individuals, and those articles used have been spices, and sugar, and honey; and once only, many years since, liquorice. The spices used were corriander seed and ginger, I think but twice I have purchased isinglass and used it for finings, not more than four or five times have I ever used colouring, such as used for spirits, nor has ever any other ingredient been used by me, or for me. I have here stated the extent of every other article used by me than malt and hops. The articles I have used, I should be willing to use at any time, if I thought they would be of any advantage. I am persuaded that no spices or sweets can compare with the tonic balsam of the hop, or the saccharine of barley. Ales are of three colors. *pale, amber and brown*; these colors are made by drying or roasting the malt on the kiln, to suit the color of the liquor; the flavor of each brewing of ale or beer differ more or less, scarcely any two are the same; the causes are owing to some change in the process of malting, the manufacture of the ale, or hops. The process of fermentation, of every brewer, is the source of the principal difference of the flavor of their ales, no two scarcely practice alike; a neglect of the brewer, or want of skill, is often perceptible in the bitter disagreeable taste of some ales, said to resemble *alms*; this is occasioned by letting the yeast, after it rises on the top of the liquor, to fall back, instead of carefully working it off, and this taste is called *yeast bit*; another very nauseous taste in malt liquor, technically called *fazed* or *blink'd*, is owing to a putrid fermentation taking place in the liquor. I do not know of any article of diet or drink that so easily assimilates the odors and flavors of the air, and articles that come in contact with them, as do malt liquors. Clean vessels, pure air and water, are indispensable to obtain fine flavored ales; even after barrelling, to keep sweet, must have a cellar free from all impurities. Probably one reason why English ales and beers are more alike in their flavors, is that a great part of them are vatted, putting several brewings together into one *piece* or vat.

LANCELOT FIDLER.

Sworn to me before me, this }

29th day of April, 1835, }

JOHN J. HILL, *Commissioner of Deeds.*

Answer of Samuel Scantlebury.

1. I have been engaged in the brewing business in Albany and New-York, since the winter of 1825 and 26. I have been 6 years in Albany, formerly with R. Dunlop, and at present with Fidler & Ryckman.

3. Never by me nor by any one else to my knowledge.

4. Never, nor ever purchased or owned any of them for using in ale, beer or porter.

I have, however, frequently used sulphuric acid, for scouring our coppers.

5. Never having brewed in England, I have no knowledge but by report, on this subject.

6. Malt, hops, water, and a little common salt are the only ingredients used by me for ale, porter or beer. Some years ago, however, by way of experiment, I used about ten or twelve pounds of grains of paradise and a few pounds of coriander seeds, and I have used occasionally since molasses, sugar and honey; but as I never could discover any advantage in the use of these articles, I have made no use of them of late.

The different shades are occasioned by the difference in the color of the malt, which color arises partly from the color of the skin of the barley and partly from the process of drying. The flavor also arises, in part, from the drying of the malt and the quality of the hops, and also from the process of fermentation. The taste of aloe alluded to, I take to be what we technically call yeast-bitten, which is occasioned by want of care or skill in the brewer.

SAMUEL SCANTLEBURY.

Albany, April 28th, 1835.

The foregoing affidavit sworn to this }
30th day of April, 1835, before me. }

PETER CARMICHAEL, Commissioner of Deeds.

Persons in the employ of Fidler & Ryckman.

Wm. P. Johnson, Jr., clerk; Charles Rogers. Timothy Connelly, Charles Walker, malsters; Charles Field and son, and Bernard Lynch, malsters, reside at Augusta, Oneida county; James Reed, Patrick Kating, John Lanagan, John Haile, cellarmen; James Burns, engineer; William Barrit, James Fuller, Patrick Shea, workmen; Bernard Williamson and Jeremiah Nowlan, draymen; William McMillan, William Costoto and James Moore, coopers.

All whose names are hereunto subscribed, have heard read repeatedly and carefully the 3d and 4th interrogatories, and to all the questions put in them, we each individually answer, No.

Wm P. Johnson, Jr., clerk,

his

John ✕ Lanagan,

mark

Thomas Byrne,

Charles Rogers,

Timothy Connelly,

his

Charles ✕ Walker,

mark

Patrick Shea,

his

John ✕ Haile,

mark

James M. Fuller,

James Reid,

William Barritt,

William McMillan,

William Costoto,

his

Barnard ✕ Williamson,

mark

Jeremiah Nowlan.

Sworn before me this 30th day }
of April, 1835. }

PETER CARMICHAEL, Commissioner of Deeds.

Answer of G. W. Ryckman.

ALBANY COUNTY, ss.

Garret W. Ryckman, of the city of Albany, being duly sworn, answers to the foregoing interrogatories, as follows:

1. I am engaged in the brewing and malting business in the city of Albany, and have been connected in business with Mr. L. Fidler for nearly three years.

3. To this interrogatory I answer—No, not to my knowledge.

4. To this interrogatory—No.

5. I have carefully perused the affidavit of my partner, Mr. L. Fidler, and have the fullest confidence in his statements, and believe the reasons assigned by him to be true.

6. I again refer to Mr. L. Fidler's accompanying affidavit, in answer to this interrogatory. Many of the reasons assigned by him, I know to be correct, and the whole answer I believe to be true.

G. W. RYCKMAN.

Sworn before me, this 30th }
day of April, 1835. }

PETER CARMICHAEL, *Commissioner of Deeds.**Answer of Andrew Kirk.*

To the chairman of the select committee of the Honorable the Senate, in reference to the manufacture of ales, porter and beer:

1. To this interrogatory, the undersigned replies, that he has been engaged in the brewing business for the last three years in the city of Albany.

3. To this interrogatory, the undersigned replies, that he has never used any drug or compound of any description, in the manufacture of ale, nor has any extract or the essential property of any of them been used in the ale manufactured at his brewery.

4. To this interrogatory, the undersigned answers, that he has not, nor has any person for him, procured any such drugs or compounds, or the extract, or the essential qualities, of any of them.

5. To this interrogatory, he answers, that he is ignorant of any inducement to use any of the said drugs in making beer, ale or porter, and would venture the opinion, that they would ruin both the brewer and his beer; have never been in England. Heavy duties are said to have induced some brewers to use drugs in that country.

6. To this interrogatory, he answers, that the materials of which his ale are made, consist of malt, hops and water, with a little salt. Malt furnishes the saccharine matter; hops impart an agreeable flavor, and are highly efficacious in preserving the liquor. The difference in strength depends upon quantity or quality of the malt, or the skillfulness and attention of the brewer. The shades of color are the effect of the difference of heat in drying the malt. The flavor of ales may be occasioned by negligence or bad materials.

ANDREW KIRK.

Sworn before me, this 9th }
day of May, 1835. }

THOMAS W. HARMAN, *Commissioner of Deeds.*

Answer of Peter Ballantine.

1. Aye—in Schenectady and Albany, for seven years : in Schenectady, two years for I. M. Schermerhorn; in Albany, two years for Robert Boyd; one year for Andrew Kirk; and two years for myself.

3. None have ever been used by me, in any manner, or to my knowledge.

4. Never purchased, owned or had in my possession, any thing of the sort, for using in ale, beer or porter.

5. Not having used any of the above drugs, cannot say whether there is profit or loss to the brewer, and only know, by report, what is the practice in England.

6. Malt, hops, and a very small quantity of common salt, are the only ingredients used by me, at any time, for ale, beer or porter, except once when I tried the experiment with thirty pounds of sugar, and at another time, with half a barrel of honey. The different shades of color are derived from drying and roasting the malt; and the flavor from the drying and fermentations. The disagreeable taste said to resemble aloe, is given in the fermentation, and is what the brewers technically call yeast-bitten.

PETER BALLANTINE.

Taken and sworn to before me, }
this 28th day of April, 1835. }

J. LANSING, *Judge of Albany Com. Pleas, Counsellor, &c.*

The answers, likewise, of William Walker and George Cummings, maltsters; Alexander Moore and William Hogg, cellarmen; Thomas Waldie and James Moore, upstairsmen; William Eger, drayman; Joseph Bailey, laborer; Gilbert Utter and Robinson Torn, coopers; and William Fidler, clerk—who being severally duly sworn, deposed as follows : that they are, respectively, in the employ of the above named Peter Ballantine, and they further respectfully answer to the foregoing third, fourth, fifth and sixth interrogatories, which have been respectively read to them, as well as the several answers thereto of the said Peter Ballantine, that they have no other information, knowledge or belief, respecting the subject matters inquired of by the aforesaid interrogatories, than what is contained in the answers aforesaid of the said Peter, and which answers, from the acquaintance which they have with the said Peter, as well as their own knowledge, they verily believe to be true.

William Walker,
William Eger,
George Cummings,
James Walker,
Robinson Torn,
Gilbert Utter,
his
Alexander X Moore,
mark

Joseph Bailey,
Thomas Waldie,
William Fidler,
James Moore,
William Hogg.

STATE OF NEW-YORK, }
Albany County, ss. }

I do hereby certify, that on the twenty-eighth day of April, one thousand eight hundred and thirty-five, William Walker, William Eger, George Cummings, James Walker, Robinson Torn, Gilbert Utter, Alexander Moore, Joseph Bailey, Thomas Waldie, William Fidler, James Moore, and William Hogg, personally appeared before me, and being duly sworn, deposed, that they had read the answers by them subscribed, and that the same is true of their own knowledge, except what is stated to be on their information and belief, and that they believe the same to be true.

J. LANSING, Judge, &c.

Answer of White, Barker & Co.

The subscribers of the firm of White, Barker & Co., in the city of Albany, in reply to the foregoing interrogatories, respectfully state:

1. That they are engaged in the business of brewing ale in said city; that William White, one of said firm, has been in said business for about eight years; that Samuel Pruyn, one of said firm, has been engaged five years; and that Charles Barker, the other of said firm, has been engaged in the same two years; that they are in said business on their own account in said city.

3. That they have never directly, or indirectly used, or caused to be used, all or any part of the articles named in this interrogatory, or any other deleterious drug or compound whatever; and that they have never seen, to their knowledge, many and most of the articles named.

4. That to this interrogatory, they reply simply in the negative.

5. That they are ignorant of the profit or loss which would accrue from the use of deleterious drugs in ale; but are of opinion, that in this country, the use of such ingredients would result in pecuniary loss, and that there can be no motive whatever (particularly of gain,) in employing them; that they are unacquainted with the difference (if any there be,) between the mode of brewing in this country and in England.

6. That barley malt, hops and water, with a handful of common table salt in each brewing, are the sole and only articles now used, or which ever have been used in the manufacture of their ale. From the malt, the saccharine matter is extracted; the hop produces a bitter aromatic flavor, and is also essential for its preservative qualities; the salt is added for the same purpose as in preparing the ordinary food of mankind; the rest of the operation is produced by an operation of nature, called fermentation, carefully watched and directed by the experience of the brewer; the difference in the color of ale is caused entirely by the degree of heat and in drying the malt—when dried by a slow fire, it makes "pale ale," when higher dried, it makes "brown ale"; the "flavor which gives to some beer the taste of aloes," is caused either by imper-

fect fermentation, or by hops of an inferior quality and bad flavor.

The process of fermentation being one of the hidden mysteries of nature, sometimes produces results not easily to be accounted for.

The subscriber, William White, personally superintends and directs the brewing department of the aforesaid firm, is himself the practical operator, and no article or ingredient can be used without his personal knowledge thereof. Dated and subscribed at Albany, 20th April, 1835.

WILLIAM WHITE,
CHARLES BARKER,
SAMUEL PRUYN.

Sworn and subscribed this 20th }
day of April, 1835, before me, }
DANIEL W. MILLS, Commissioner, &c.

Answer of John Taylor.

1. I own a brewery in the city of Albany, and have been engaged in the brewing business in Albany the last twelve years.

3 & 4. I have never purchased, or caused to be purchased, directly or indirectly; nor have I used, or caused to be used, or known to be used, any of the articles enumerated, or any other drug; nor have I ever owned, or been in possession of any of the articles enumerated, or any other drug not named; nor have any such drugs named, or any other not named, been brought into, or used in the process of brewing, or afterwards infused, or mixed in my brewery to my knowledge, with any ale or beer.

5. I know of no inducement for the use of any of the enumerated articles, either as to profit or the flavor of the ale; but on the contrary, believe they would tend to destroy the keeping qualities of the ale, and thus be ruinous to the business, from the quantity of ale necessary at all times, to keep on hand.

6. Barley malt, hops, water and yeast, (with the exception of small quantities of white sugar and fresh honey,) are the only articles ever used by me; the difference of the shade, strength or flavor, depending on the process of making and drying the malt, the process of fermenting and proportion of malt and hops in the manufacture of ale.

JOHN TAYLOR.

Sworn and subscribed this 30th }
of April, 1835, before me. }
DANIEL W. MILLS, Commissioner, &c.

Answer of William Amsdell.

1. I have been a brewer twenty-one years, and have brewed the last three years for John Taylor, in Albany.

3. I have never used any of the drugs enumerated, nor any other drug in the process of brewing, neither for the purpose of mixing with malt liquors after it was brewed; neither have I directly, or indirectly caused it to be done.

4. Having the full charge of the brewing department of Mr. John Taylor's brewery, no article of drugs could be used without my knowledge, nor has been used in any way or manner, in the manufacture of ale or beer—the only malt liquors manufactured by him.

5. I do not believe any inducement exists, for the use of drugs, in the manufacture of ale—*on weights of them are worse than useless*; and that brewer (if any,) who uses them, defeats his own purpose, and must be ignorant of the true principles of the process, for the following reasons:

1st. The flavor produced by malt and hops are inimitable and unattainable by any other matter whatsoever.

2d. No *vinous fermentation* can be produced, except from a liquid that is saccharine, which is necessary in the manufacture of malt liquors.

3d. All spirituality or strength is the produce of such fermentation, and this, in conjunction with precautions in the heats and mashings, determines early or late periods of fineness, wholesomeness and flavor; much depends on this interesting part of the process, and fixes the desirable quality of preservation—a desirable property, of which hops afford the basis.

6. Malt, hops, yeast and water. (sometimes a small portion of fresh honey or white sugar,) are the only articles I have ever used in brewing of malt liquors. The process of drying the malt, varies the shade of the ale, and will also affect its flavor.

WILLIAM AMSDELL.

Sworn and subscribed, this 1st }
day of May, 1835, before me, }

DANIEL W. MILLS, Commissioner, &c.

I certify, that I have had charge of the office and books in the brewery of John Taylor, for the last three years past, that I have read the above affidavit sworn to by him, and believe it to be correct; that from the supervision I have of his business and accounts, and his cash operations, that there could be no drugs purchased, or used in the establishment of his brewery, without my knowledge of it; that no such purchase has ever come to my knowledge, nor do I believe any to have been made.

JOHN G. NORTHROP.

Sworn and subscribed, this 30th }
day of April, 1835, before me, }

DANIEL W. MILLS, Commissioner, &c.

Answer of Robert Boyd.

The honorable the select committee of the Senate of the State of New-York, in answer to the several interrogations directed to me, I beg leave to offer the following:

1. I am engaged in the business of brewing ale in the city of Albany, and have been so engaged for thirty-one years last past.

3. No drugs enumerated in this interrogatory, nor any other poisonous drug or compound, have ever been used by me, directly or indirectly.

4. I deny, "in toto," the having put, or caused others to put, any poisonous or deleterious compounds in any ale manufactured by me; nor have I purchased any of the drugs enumerated in No. 3, or caused others to purchase them to be used in my brewery.

5. I know of no inducement a brewer has to use drugs in the manufacture of ale or porter. I know that good and well flavored ale is made in my establishment without the aid of any drug or deleterious compound known to me. With respect to the question, "Is the use of drugs a matter of profit or loss to the brewer?" I am unable to answer it, as I have never made the experiment. As to the difference between the manufacture of ale in this country and in England, I am unable to say in what it consists; I presume, however, that the process is similar: in England, the brewer pays more for his malt, on account of excise duty, but makes it up by charging more for his ale, than the brewer in this country.

6. The materials of which the ale and porter manufactured by me, are barley malt, hops, salt, and when the extract from the malt is pale, burnt sugar is added for coloring. The two latter materials are used in very small quantities. The extract from barley malt, has a sweet luscious flavor; that from the hop, has an aromatic bitter flavor; salt is added to make the flavor more agreeable. The different shades, strength and flavor of ale depend upon the drying of the malt, the quantity used, and the conducting of the process of fermentation; that flavor which gives to some ale the taste of aloes, may arise from the use of an inferior or bad flavored hop.

R. BOYD.

Sworn before me, this 30th }
day of April, 1835. }

J. W. EDMONDS.



Answer of E. Parmelee & Co.

The undersigned, one of the firm of E. Parmelee & Son, manufacturers of ale and strong beer, in the village of Lansingburgh, in answering the foregoing interrogatories, says:

1. That he has been engaged in the manufacture of ale, porter and beer, from the year 1816 to the present time, on account of himself and partners.

3. That no one of the articles set forth in this interrogatory, nor any other poisonous drug or compound, or any extract, or essential property thereof, has been at any time, or in any quantity, directly or indirectly, infused, mixed, put in, or used, in beer, ale or porter, either when manufactured, or when preparing for market, by us, in any quantities or proportions whatever.

4. That no person in our employ, by our procurement, or with our knowledge, consent or approbation, have caused, or procured,

any such drugs or compounds, or the extract, or essential qualities thereof, to be infused, mixed, put in or used, in ale, porter or beer; nor has any one in our behalf, at any time, purchased, nor have we had in our possession any of the said articles, other than such as have been purchased and used for medicinal or other purposes, in no manner connected with the manufacture of ale, porter or beer.

5. That he does not know of any inducement for the use of any of the said drugs or compounds in the manufacture of ale, beer or porter, in this country, and that he verily believes that such use would be a matter of loss and not of profit to the brewer; that he is not sufficiently acquainted with the difference between the manufacturing of ale, porter and beer, in this country and in England, to give an opinion on the latter clause of this interrogatory.

6. That the only ingredients or materials used by us in manufacturing ale and beer at our establishment, are malt, hops and pure spring water, and in a few instances, under particular circumstances, a little common honey; and in the manufacturing of porter, the ingredients are the same as in ale or beer, with the only addition of liquorice root and juniper berries, to change the flavor of the liquor; that the qualities and properties of all the above ingredients are so generally known, as in his opinion, to require no other reason to be assigned for their use; and that the causes which produce the different shades, strength and flavor of the ale, beer and porter, other than as above stated, depend on the drying of the malt, by a greater or less heat; the colour and flavor of the hops, and the greater or less quantity of the saccharine matter of the malt, infused in the liquor; and that the dead bitter flavor of the beer, compared to the taste of aloes, is derived either from the quality of the hops used or from some mismanagement in manufacturing, or in the treatment of the liquor after manufacturing, whereby the aromatic flavor of the essential oil of the hop is lost, while the bitter taste alone remains.

All of which is respectfully submitted.

ELIAS PARMELEE.

Sworn before me, this 1st day }
of May, 1835. }

DANIEL WHITING, *Justice of the Peace.*

The undersigned says, that he has been engaged as a brewer, in the employment of E. Parmelee & Son, in the village of Lansingburgh, nine years; and that during the whole of that time he has had the principal charge, overseeing and management of the brewing business; and that he has carefully examined the foregoing interrogatories and their answers, by Elias Parmelee, one of the aforesaid firm, and that to his knowledge and belief, the answers are true, in all their assertions and declarations, and that his own practice has ever been in accordance therewith.

JOHN SANDS.

Sworn before me, this 1st }
day of May, 1835. }

DANIEL WHITING, *Justice of the Peace.*

[Senate No. 88.]

Answer of J. Dougrey & Co.

James Dougrey, of Lansingburgh, county of Rensselaer and State of New-York, one of the firm of J. Dougrey & Co., brewers of said place, makes the following answers to the foregoing interrogatories:

1. That I have been engaged in brewing strong beer and ale at our present establishment for six seasons last past, for myself and others, under the firm of J. Dougrey & Co.

3. That no one article named in this interrogatory has ever been used in our establishment, nor has any extract or compound of any or either of them been used by any one, in any stage or process of our brewing, fermentation or barrelling, or at any period after barrelling; and that no other ingredients have been used by me, nor any one else in our establishment in manufacturing ale or beer, but malt and hops only, except part of two seasons, a very small quantity of liquorice root used as an experiment by me, which was intended to aid the flavor of our article, but which article is now wholly abandoned by me; strength or intoxicating qualities are not so much sought for, as a pure flavor.

4. I never have, nor has any one connected with me, or in my employ, with my knowledge, consent or approbation, procured or caused to be procured, any deleterious drugs or compounds, or the essential qualities thereof, to be infused or put into any article of beer or ale manufactured by us; nor have I ever purchased, or at any time had in my possession to my knowledge, any of the said articles.

5. Instead of being actuated by any expectations of gain by using deleterious drugs or compounds, I am satisfied their cost would exceed the cost of malt and hops. In this country, nothing, in my opinion, will produce as much pure saccharine at the same cost, as good malt, at the average cost of the article for the last six years; nor that any substitute can be found for hops, calculated to answer the purposes intended by the use of hops, viz: flavor, preservation and cheapness; I would therefore think, that no one at all acquainted with the business, can, on the score of gain, be induced to use any other ingredient or compound as a substitute for either malt or hops. I wish it, however, distinctly understood, that I am entirely unacquainted with the cost of any one of the articles named. I know nothing of the process of brewing in England, except from reading.

Baverstock's treatise on brewing, (the best English authority,) says "any one that uses any other ingredient than water, malt and hops, must be men unacquainted with the most valuable principle of their business," and pronounces them "contemptably ignorant of their own interest, for that all the money which is paid for such additional matters, is far worse disposed of than if it were thrown into the sea." He confidently denies that any well informed public brewer in England uses drugs.

6. The ingredients used by us, are malt and hops only; the extract of the malt, to give the ale or beer a body and strength; the hops, to give it a flavor, and as a preservative against acidity; the quantity of

stock used, or extract from the same, governs the strength of the article; the different shades of beer, ale or porter, are caused by the high or low drying of the malt and the dark or pale color of the hops used; as to what causes or produces the aloe taste, if it exist, I am unable to state, as I never, to my knowledge, tasted aloe: if thereby is meant a very bitter taste, I would answer, that too much hop may be used to suit the tastes of every one, or the hops may be too much boiled; I know of no other reasons, either for the shades or for the flavor of beer or ale. I never knew of any colouring matter being used for ale. It may be well to remark, that in beer intended to keep sound in warm weather, a much greater quantity of hop is used, than is used in what brewers term present use, intended to be used in cool weather; the very bitter taste sometimes complained of, I rarely or ever heard as an objection to the latter article.

JAMES DOUGREY.

The foregoing affidavit sworn to this }
28th day of April, 1835, before me. }

J. C. LANSING, *Sup. Court Commissioner.*

Answer of Nash, Burt & Co.

1. Abram Nash has been engaged in the business of brewing ale or strong beer for the last eleven years in Troy, and for the last two years I have taken into partnership, Uri Burt and Alfred B. Nash, under the firm of Nash, Burt & Co.

3, 4 and 5. As to the articles named in these questions, we have never bought, sold or used the least particle of either of the drugs, or any other named article included in the 3d question; neither do we believe that they would be proper, safe or useful; nor have they ever been named by any one about the brewery, as necessary or safe to use.

6. Our ale or strong beer is made with pure spring water, barley malt and good hops; we suppose that soft water is as much preferable for ale as for many other purposes for which it is used—this we think to be one of the causes that the country ale is preferred by some in New-York to their city manufactured ale. We use for one barrel of ale, from three bushels to three and a half bushels of malt that we dry on a tile kiln at a slow but suitable heat, with hard coal. To make the malt a light amber, which is the only article that gives the shade or color to the ale, excepting it may sometimes happen, in high dried hops, that they may add a little to the shade, but if they do, we expect that the flavor of the ale will be changed a little also; and if the malt and hops are high dried, we hear a complaint that the ale is burned or aloe is used. Neither of these charges are true, but the effect is the same as in high burned coffee, it changes the flavor. The above water, malt and hops, compose all that we use to make ale or strong beer, excepting, we add to every fifty barrels, four quarts of fine table salt when boiling, which we judge to be as necessary for beer as for any other article used by man that has substance. What we

have written we hope will answer the foregoing questions, to satisfy the inquiring world, and we shrink not from the answer for prosecuting the business to our consciences and at the bar of God.

ABRAM NASH.

RENSSELAER COUNTY, ss. On the 27th day of April, 1845, personally appeared before me, Abram Nash, to me personally known, as one of the firm of Nash, Burt & Co., brewers of the city of Troy, and being duly sworn, says, that the foregoing answers to the questions put, contain the truth, the whole truth and nothing but the truth.

D. H. Stone, Commissioner of Deeds, Troy.

Answer of J. & U. Wallace.

J. & U. Wallace, of the city of Troy, answer the foregoing questions in the following manner, viz:

1. We have been engaged in the brewing business eleven years last October, on our own account; James Wallace, as bookkeeper and outdoorman, Uriah Wallace, for the last seven seasons, as brewer.

3. None of the articles enumerated in this question, except copperas, has ever been about our place, to our knowledge, nor have we ever seen them any where.

4. In the spring of 1831, we purchased from eighteen to twenty pounds of copperas, for the purpose of mixing it in the white wash which we put on the buildings and fence about our establishment.

5. We know of none; are not sufficiently acquainted with the brewing business in England to answer this question.

6. Malt, hops, water, salt and honey, is used in the manufacture of pale ale. Barley infused in water and spread on floors; the process of vegetation changes the glutinous properties of the grain into a saccharine substance, which gives the ale its sweet properties. Hops give ale the bitter taste, which some may mistake for aloes, and is necessary to promote the fermentation and assist the ale, beer and porter to keep, without becoming acid. The different shades of ale are produced by drying the malt on the kiln, which may be varied from the brownest to the palest kinds of ale. The strength of ales may vary by using more or less malt, or the fermentation being carried further in one kind of ale or beer than another. There is a great variety in the flavor of hops: some have a strong, others a more delicate flavor, which readily accounts for the different flavors perceptible in the ales of the same establishment. Ale or worts, after boiling and before fermentation, have a sweet bitter flavor; when ready for fermentation, yeast is used, which acts on the worts and decomposes a part of the sweets and evolves carbonic acid gas, the gravity is diminished, spirit is generated, which assists to preserve the ales from acidity, if not from putridity, either of which would destroy it.

ALBANY COUNTY, ss.—James Wallace, one of the firm of J. & U. Wallace, herein mentioned, being duly sworn, says, that the

facts set forth in the above statements are true, of his own knowledge.

JAMES WALLACE.

Sworn and subscribed this 28th }
day of April, 1835, before me, }

JNO. C. KEMBLE, one of the Judges of the Court for the
Correction of Errors.

Answer of George Robinson.

1. I am engaged in the business of brewing ale, in Hudson; I have carried on the business there for the last twelve years.

2. I have six workmen employed in that business, whose names, and the particular branches they are employed in, are as follows, viz: Charles Monk, brewer and cellarman; Daniel Grant, grinder; Robert Wynnyates, malster; Daniel Murphey and John Caton, barrel washers and laborers; and William Hinds, teamster.

3. Sulphate of iron or copperas has once, and only once, been used in my brewhouse, as heading for a brewing of porter, to the amount of four ounces.

4. No. None, none.

5. None; a matter of loss. In England, during the long French or continental war, from 1792 to 1815, malt was as high as 14s. sterling per Winchester bushel. There was then a strong inducement held out to brewers, to adulterate their ale. I consider there is none in this country; malt and hops being the cheapest and best ingredients we can use.

6. The ale brewed at my establishment is composed of malt, hops and water, and a small quantity of common culinary salt, say two or four ounces to each barrel. The malt gives the body; the hops, flavor, and adds to the preservative quality of the ale; the salt clarifies the ale, and assists fermentation. The different colour of ale arises from the different shades given to the malt in drying; the different flavors, from different methods of fermentation. The flavor of alocs, from a bad or languid fermentation.

GEORGE ROBINSON.

Answer of Hazard & Gardiner.

1. I am, as it regards ale and strong beer in Catskill, for the last seven years, and previously an apprentice to Messrs. Law & B v-ridge of Newburgh four seasons, and one season as malster to M. Vassar & Co., Poughkeepsie.

3. Never, to my knowledge, either directly or indirectly.

4. Never, to my knowledge, or by my procurement; the articles enumerated in question 3, have never been purchased, owned, or in my possession, in the most remote connection with my business as a brewer.

5. I give it as my opinion, there is no inducement whatever.

The "use thereof," whether profitable or not, I cannot say, never having seen it tried. Whether there is any difference between the manufacture in this country and in England, I cannot tell.

6. The beer manufactured by me is composed of the extracts of barley malt and hops.

"The object of mashing, is to extract from the malt all the saccharine matter, and a certain part of farinaceous substance, on the due proportion of which, the proper fermentation of the wort and flavor of the beer in a great measure depends. Hops contain a fine essential oil, which has an agreeable bitter flavor; they are requisite to preserve the beer from the acetic fermentation which would otherwise take place immediately after the spirituous (vinous,) fermentation ceases."—*Edinburgh Encyclopedia*.

The different shades of our ale are derived solely from the malt used; in drying pale malts, smoke from the fuel made use of, or too great a degree of heat, are carefully avoided. The difference in strength is produced by increasing or diminishing the quantity of wort, from a given quantity of goods. The reason for a difference in shade or strength is simply because some customers prefer one kind, some another. I do not know the cause of that flavor, which gives to some beer the taste of alocs, unless it is owing to the use of strong hops which may have become damaged by packing, before sufficiently cured, or to unskillfulness in the operator, or to both combined.

JAMES D. GARDINER.

Sworn and subscribed, this 2d }
day of May, 1835, before me, }

JAS. D. PINCKNEY, *Commissioner of Deeds*.

Answer of M. Vassar & Co.

1. We have been engaged in the manufacture of ale since 1813; never have employed any foreman or chief brewer; one of our firm has always attended to this branch of the business.

3. None of the drugs, ingredients, or articles, named in this interrogation, have ever been used by us, directly or indirectly, or by any one in our employ, at any time, or on any occasion, to our knowledge or belief, excepting in one instance, in one brewing made some ten or twelve years ago, and then only by way of experiment; and the result rendered the liquor unsalable, by impairing its flavor, and was subsequently consumed (principally,) by the workmen of the house: these articles were, coculus indicus, alum, salt of steel, capsicum and grains of paradise.

4. We, nor any one in our employ, nor agent, has ever bought, or had in possession on our account, to our knowledge or belief, (except in the instance above mentioned,) any drugs, ingredients, or compounds, and used them at any time in the manufacture of malt liquors made by us.

5. From our experience and knowledge of the brewing business, should not suppose there was any inducement for the use of any drugs or compounds in the manufacture of ale, beer or porter; nor can we

conceive or believe it possible to find any substitute, either as a matter of economy or profit for good malt and hops, and as we believe are the only articles necessary and essential for the making of good ale, beer or porter; for it is these alone, when judiciously proportioned and manufactured, that *constitute malt liquors*, and impart that fine and delicious flavor, so highly esteemed by those accustomed to their use.

6. The only materials used by us in the manufacture of ales, &c. are malt and hops. The difference of flavor in ales arises chiefly from the drying of the malt; that which is dried pale or light amber, is generally preferred for ale; the amber or brown, for porter, or a mixture of each kind. The different shades of colour in malt liquors, is mostly owing to the degree of heat the malt has received on the kiln in the process of drying; and some also, from the quantity and colouring matter in the hops.

An irregular or injudicious fermentation will cause a nauseous and unpleasant bitter to ale; but cannot say whether it would imitate the flavor or taste of aloes, never having used the drug, nor drank any ales or porter containing this article to our knowledge.

Poughkeepsie, (Dutchess co.) April 27th, 1835.

M. VASSAR & Co.
per M. VASSAR.

Sworn and subscribed this 1st
of May, 1835, before me. }

S. B. DUTTON, *Commissioner of Deeds.*

Answer of Law, Bevrige & Co.

1. I am engaged in the brewing of ale, in the village of Newburgh; I learnt the business here; for fourteen years I have been an operative brewer; the last ten of which years, I have been a partner in the firm of Law, Bevrige & Co.

3. I use none of the articles specified in this question, nor any other drug, in any way, nor do I employ any person to use them for me: some years since I used some of them in experimenting, I tried some in four or five brewings of porter; but being satisfied that they were injurious, I abandoned the use of them entirely, and do not now use any of them in any way.

4. Neither myself, nor any person for me, have purchased, or owned, or had in possession, any such drugs or compounds, except at the time, and for the above mentioned experiments.

5. I think that in this country there is no inducement for the use of any of said drugs or compounds, in the manufacture of ale. I do not profess to be a porter brewer, and consequently cannot testify as to that, as I never attempted but four or five brewings of it. We make nothing but pale and amber or brown ale; and in ale I am decidedly of the opinion, that any drugs would be unprofitable and injure the quality of the article; the sweet from malt and the bitter from hops, are not only the best, but the cheapest ingredients. As to the practice in Britain, I only know from books and

hearsay. The excise laws there taxing strong ale so much more than weak, may be an inducement to use drugs; but I believe their finest ales, especially in Scotland, are free from all fraudulent admixtures.

6. The only ingredients used by us in the manufacture of ale, are water, malt and hops, with a small quantity of common salt, and occasionally a little sugar or honey. The different shades of colour in ale, are produced by giving the malt more or less fire while drying it on the kiln. The strength is in proportion to the quantity of malt used in a given quantity of ale. The flavor is produced by the skill of the operator, and the judicious selection and application of his materials. The aloe taste spoken of, may be from an unskillful use of the hops, thereby extracting a disagreeable bitter, or sometimes when the yeast is not well separated from the ale, it gives a nauseous bitter taste, technically called yeast-bitten.

As we court investigation on this subject, and wish to give full and satisfactory testimony, I take the liberty of adding the affidavit of our foremen in their different departments, and consequently the men who would be employed to put in drugs or compounds, if any were used.

All which is respectfully submitted.

JOHN BEVRIDGE.

Sworn before me, this 27th }
day of April, 1835. }

B. H. MACE, *Commissioner of Deeds.*

We, whose names are undersigned, are in the employment of Messrs. Law, Bevridge & Co., and so far as we know, the above statements by Mr. Bevridge are correct. We do not know of any thing used in the manufacture of ale here, besides water, malt, hops, common salt, and occasionally sugar or honey, and we think that nothing could be used to any extent, or with any frequency, without some of us knowing it.

ARNOLD McNEAD,
JAMES PATERSON,

his
AMBROSE X SUTLIFE,

mark
ABEL STEELE,
THOMAS McCANN.

Sworn and subscribed, this 27th }
day of April, 1835, before me, }

B. H. MACE, *Commissioner of Deeds.*

STATE OF NEW-YORK, }
Orange county, ss. }

John Forsyth, of Newburgh, in said county, being duly sworn, doth depose and say: that he is one of the firm of Law, Bevridge & Co., above mentioned, and has been one of said firm for the last nine years; and further, that he has

read the foregoing interrogatories and the answers thereto, and that he fully concurs in the affidavit made by John Revridge, and the same is true and correct.

JOHN FORSYTH.

Sworn to and subscribed, this 27th }
day of April, 1835, before me, }

B. H. MACE, *Commissioner of Deeds.*

Answer of D. R. Tittle.

1. I have worked for Fidler & Taylor about six years; in business for myself and partnership about six years.

3. I have not any of those articles, neither did I ever use them. I make my beer of nothing else but malt, hops, water and common salt. I do not make any porter.

4. I never had any, nor ordered any, in no shape nor manner, except once I recollect of being told by an old Englishman, that coculus indicus was so good to fine beer, and would make it heady; I went to a druggist to see this article—he handed me six or twelve berries. I inquired whether they would be injurious to health; he told me they were; I then said I never would make any beer if I could not make it without using things injurious to health, and did not use the article, nor any of them, nor never have.

5. The use of those articles I am unacquainted with; I never was in England.

6. The ingredients or materials, are nothing else but malt, hops, water and common salt, used in my establishment. It is barley malt which, by being malted, makes it a sweet, but would drink rather sickish without the pleasant bitter of the hops with it. I do not see much use of salt; either way, the use of beer is to quench thirst, and is nourishment. The different shades are caused by drying the malt, sometimes higher than other, sometimes by hops being picked late will be of higher colour than early picked. Can give different shades by colouring made by burning sugar or molasses. The strength is the substance of the grain, same as bread; fermentation puts the beer in a state to take spirits from it by distilling. It is a wholesome liquor, if used with discretion. Eating too much will hurt a person as much as drinking too much beer. Ill flavor is given to ale in different ways: sometimes in boiling, sometimes in the fermenting tuns.

D. R. TITTLE.

Sworn and subscribed, this 28th }
day of April, 1835, before me, }

DANIEL W. MILLS, *Commissioner, &c.*

Answer of John Johnson.

To the Honorable the Senate of the State of New-York, the undersigned begs leave to answer to your interrogatories, as follows:

1. I am engaged in the brewing of ale or strong beer, and have been for the last fifteen years in the city of Brooklyn, State of New-York, on my own account.

3. I have not used myself, or any man in my employ, either directly or indirectly, any of the enumerated articles, either in their raw or natural state, or in any extract, or made in a compound article, or any noxious or deleterious drugs been used by me ever in the making or preparing for market.

4. I, nor any one for me, never had or purchased any of the above articles, or extracts, except coculus indicus; I had a small quantity in England to fuddle fish with—never saw it in this country. Nux vomica I once had a few beans to poison rats with. Laurel leaves and aloes I never saw the articles.

5. It has always been my firm opinion that the ale made in this country was a genuine article from malt and hops—never met with a brewer here who ever recommended drugs, but always malt and hops. The latter materials I consider will make a better ale, and cheaper than any drugs or compounds that can be found. To withhold malt and hops and use drugs, the quality of the ale would soon show the brewer his error. The difference between here and England is, or rather was, here the price of barley and hops is low; there, during the last war, barley some years was bad, and of course price high: one dollar excise per bushel of malt, two dollars each barrel of ale; duty on hops some years very dear; great competition and small profits, which might drive brewers to other things as a substitute.

6. I make my ale of malt, hops, water and yeast; other extracts, compounds, drugs, &c., I use none whatever. The shade is owing to different qualities of barley, and being high or pale dried in malting. Strength in a stronger extract of the malt and a good fermentation. Flavor varies, owing to the different malt, hops and water brewed from, and different management in the process. The flavor, like aloes, proceeds from a rank unpleasant hop and long boiling.

JOHN JOHNSON.

Subscribed and sworn, before me, }
the 24th day of April, 1835. }

N. B. MORSE, *First Judge of Kings County.*

Answer of R. C. Wortendyke.

City and County of New-York, ss. R. C. Wortendyke, of the city of New-York, being duly sworn, answers the foregoing interrogatories, as follows:

1. I am engaged in the brewing business in the city of New

York, and commenced that business in October eighteen hundred and thirty-four, upon my own account.

3. I know nothing of any such practices.

4. To each and every part of this interrogatory, I unequivocally answer, No.

5. I know nothing of any part of this interrogatory.

6. The materials used by me in brewing are malt, hops and water, with sometimes small quantities of ginger, coriander seed, salt or rye flour. The strength is derived from the malt. The hop is used for its agreeable bitter, and for its preservative qualities. The other articles I have thought improved the flavor. Difference in strength may be referred to the difference in quantity or quality of the materials, or in the manner of their use. The taste of aloe is probably caused by an imperfect fermentation.

RINIER C. WORTENDYKE.

Sworn to before me, this }

23d day of April, 1835, }

CHAS. W. SANDFORD, *Com. of Deeds, New-York.*

City and County of New-York, ss. Cornelius H. Wortendyke, of the city of New-York, being duly sworn, deposes and says, that he has been employed in the brewery of his father all the time since he commenced the brewing business; and this deponent further deposes, that none of the drugs mentioned in the foregoing interrogatories, nor any other noxious or poisonous drugs, compounds or extracts, have been used in said brewery; and further says, that they could not have been used without the knowledge of this deponent; and this deponent further deposes, that he has read the answers of his father, R. C. Wortendyke, and this deponent confirms the same in every particular.

C. H. WORTENDYKE.

Sworn before me, this 23d }
day of April, 1835. }

CHAS. W. SANDFORD, *Com. of Deeds, New-York.*

Answers of C. W. and S. Milbank.

To the Honorable Committee:

City and County of New-York, ss. We, Charles W. and Samuel Milbank, brewers, of the city of New-York, being duly sworn, do depose and say, in answer to the foregoing interrogatories, as follows:

1. That we have been engaged in the brewing business for the last twelve or fifteen years; our senior partner seven years of said time for his own account, at Providence, R. I.; our junior partner with his father, Samuel Milbank, during part of said time; and now for our own account, under the firm of C. W. and S. Milbank, at 58 Madison-street, New-York.

3. We have never used either of the articles enumerated there-

in, neither in extract or any essential properties thereof, directly or indirectly, by infusing, mixing, putting or using in beer, ale or porter, neither when being manufactured or preparing for a market, except in one instance, our C. W. M. tried the experiment at Providence, of putting as much copperas as would lay on a six penny piece in a cask of ale, and which destroyed the liquor—never tried it before or since—most of the articles we have never seen, and would not know them if they were shown to us. In the course of all our practice we have used not more than six or seven gallons of pure spirits—this also was an experiment.

4. We never have purchased or caused to be purchased, any of the articles enumerated in your 3d question, nor ever had any in our possession.

5. It is our firm belief and opinion, that neither drugs or compounds are used by brewers in this country; that nothing can be substituted for malt and hops that will so well answer the ends of the brewer, both as regards his profits and reputation; a contrary practice we believe would result in loss to the manufacturer. We have never been in England, and cannot satisfactorily explain the difference that may exist in the manufacturing of malt liquor there and here; but believe they are there driven to the use of deleterious substances on account of the very high duties that are, or have been, imposed on malt and hops, and beer in its manufactured state. We believe that there is not one brewer in twenty, who has learned his business in this country, that would know how to use the articles named in your 3d question, if they were given to them. and would not know many of them apart, without being explained to them.

6. The materials made use of by us in manufacturing porter, ale and beer, are malt, hops, water and yeast. The difference in shades is generally consequent on the colour of the malt and hops used, it is sometimes necessary to lighten colour, which is generally done by burnt sugar or molasses. The quantity and quality of the malt and the proper manufacture gives strength; the flavor is also dependant on the qualities of the malt and hop, and the manner in which the process is managed. The flavor of aloes, which is sometimes said to be found in malt liquor, may be owing to its being too high hopped or bad management, and stock beer brewed for keeping during the summer months, if drank soon after it is made, partakes of a rank and earthy flavor of the hop, which in our opinion accounts for the supposition in the public mind, of aloes being used in malt liquor. The article we have never seen, nor would not know it without its being explained to us. We sometimes make use of a little honey, sugar or molasses, for the purpose of ripening liquors.

CHAS. W. MILBANK,
SAML. MILBANK, Jr.

Sworn to before me, this 25th }
day of April, 1835, }

ALFRED A. SMITH, *Com. of Deeds.*

Answer of William McMurtree & Co.

1. We have been engaged in the city of New-York in the brewing of ale and beer, for about twelve years on our own account.

3. We have not used any of the ingredients mentioned in the 3d specification, or any extract or property thereof, at any time, or in any quantity, direct or indirect, in the making of ale, beer or porter, either in manufacturing or when being prepared for market.

4. We have not, nor any person in our employment, either by our procurement or with our knowledge, consent or approbation, caused or procured any such drugs or compounds, or the essential qualities thereof, to be infused, mixed or put in, or used in porter, beer or ale; we have not, nor no one on our behalf, at any time purchased or owned, or had in our possession, any of the above mentioned articles.

5. We know of no inducement for the use of any of the said drugs or compounds in the manufacture of ale, beer or porter. We do not know whether the said articles would be a matter of profit or loss to the brewer, never having used any of them.

6. The only ingredients or materials used in our establishment for the manufacture of ale, beer and porter, are malt, hops and water. The different qualities and shades are produced by the malt being dried brown or pale. The different flavor is produced by the different qualities of malt and hops, and the mode of using them.

WM. McMURTREE & Co.

Sworn to before me, this 27th }
day of April, 1835. }

LAMBERT M. FELTUS, *Commissioner of Deeds.*

Answer of Sadgebury & Sherwood.

1. We have been engaged in the brewing of ale and table beer; at No. 102 Duane-street, New-York, since 1832, for ourselves or on our own account.

3 and 4. We have never used any of those articles; have never had any in our possession; know nothing about them.

5. We know of no inducement to the brewer to use any of these drugs; we know not whether it would be profit or loss to the brewer; we know nothing of the difference of brewing between this country and England; we never brewed there.

6. Our ale is made of barley malt, hops, water and a little fine salt only, with the addition of a little molasses in the table beer. The malt for strength and richness; hops for flavor and preservation.

The light coloured ales are produced by drying the malt pale on the kiln; the disagreeable bitter may be produced by damaged hops, or too great quantity, improper fermentation, or burned malt.

JAMES SADGEBURY,
HENRY SHERWOOD.

Sworn before me, this 24th }
day of April, 1835. }

C. NAGLE, *Commissioner of Deeds, &c.*

Answer of Wm. B. Miles.

I beg leave to submit the following answers to the foregoing interrogatories:

1. I am engaged at present in the brewing of ale or strong beer and table beer, in the city of New-York, in company with my brother, under the firm of Wm. B. & A. Miles; I have been engaged in the business of a brewer since the year 1827; the first year, in the employ of Nathan Miles; the second, in company with Geo. Hauptman; and since that time in company with my brother, under the above firm, though the manufacturing of the above articles have been done exclusively by me; he attending to the outdoor business of the firm.

3. I never have used any of the drugs enumerated in the third interrogatory, or any other poisonous drugs, in the manufacture of ale or strong beer, or table beer, or in the preparing them for the market; nor has my brother or any other person to my knowledge, or consent, used any such drugs or compounds in such manufactory; nor have I or my brother, to my knowledge or belief, or with my consent, permitted any person or persons in our employ or otherwise, to use any such in the said manufactory or brewing of ale, strong beer, or table beer, or in the preparing the same or either of them for the market.

4. I answer the fourth interrogatory in the negative.

5. I am unacquainted with any inducement for the use of any of the drugs or compounds, or other articles mentioned in the third interrogatory, in the brewing of ale, strong beer or table beer: it is my decided opinion, that the use of any such, in any mode, would produce a loss to the brewer, as it would injure the quality and flavor of his ale or beer. I am unacquainted with the qualities or manufacture of ale or beer, brewed in England.

6. I use in the manufacture of ale, table beer and strong beer, barley malt, hops and water, with a small quantity of fine salt, say three pints to sixteen barrels, and in table beer a small quantity of boiled sugar or molasses; and at some seasons of the year I use a small quantity of New-Orleans molasses at the time of racking; in table beer, I sometimes use a small quantity of isinglass to refine the liquor when sent out fresh or new. Malt gives the strength or body to the liquor. Hops are used as a preservative; they also give a pleasant bitter and agreeable flavor; salt is also used to improve the flavor, and it acts as a preservative. Boiled sugar or molasses I use to give colour, usually about one gallon to ten barrels. The different shades of colour and the different flavors in ale and beer, are often caused by the mode of drying the malt, which a malster can more properly explain; they are also caused often by the different management in the fermentation, and other parts of the process of brewing. The strength of the liquor will depend upon the quantity of malt used, and in the greater or less skill in the brewer in extracting the strength of the malt.

I am not a porter brewer, and am unacquainted with the process.

WILLIAM B. MILES, *New-York.*

City and County of New-York, ss. I, William B. Miles, of the city of New-York, brewer, being duly affirmed, doth depose and say, that the answers set forth to the foregoing interrogatories and the information conveyed in the within statement, are in every respect true, according to this deponent's best knowledge, information and belief.

TIMOTHY T. BURGER, *Com. of Deeds.*

Answer of David Jones.

In answer to the interrogatories of the Honorable Committee of the Senate:

1. I, David Jones, am engaged in the business of ale brewing, and have been so for the past season on my own account, in the city of New-York, at the corner of Pitt and Broome-streets.

3. At no time and on no occasion has any of the above mentioned ingredients been infused with the ale manufactured at my establishment.

4. I have not, neither has any individual in my employ, procured or had in possession, with my sanction or approbation, any of the said drugs or compounds, or any thing appertaining to them, for the colouring and flavoring of ale.

5. And as far as my knowledge of brewing extends, there can be no inducement for employing any of the foregoing drugs or compounds; and as I have not used them in brewing, I can say nothing of the advantages or disadvantages arising from the use of them.

6. In answer to the last question, the only articles used by me or any person in my employ, in the manufacturing of ale, are simply, barley malt, hops, and occasionally a small quantity of table salt. And as regards the different shades which the ale may have in my opinion, that altogether arises from the manner in which the malt is dried, and colour of the hops, whether the ale be pale, amber or brown. In relation to strength and flavor, quality and quantity, with judicious management, is all that is required to produce a good article. And again, as to some ales bearing the taste of aloes, I am not aware that it proceeds from any other cause, than some hops having a more rank flavor than others.

I am respectfully, your obedient servant,

DAVID JONES.

New-York, April 22, 1835.

STATE OF NEW-YORK, }
City and County of New-York, } ss.

David Jones, above named, being duly sworn, doth depose and say, that the above statement is true.

DAVID JONES.

Sworn and subscribed, this 24th }
day of April, 1835, before me, }

D. A. COWDREY, *Not. Pub.*

Answer of John M. Mounsey.

City and County of New-York, ss. John M. Mounsey, brewer, of the city of New-York, being duly sworn, deposes, in answer to the foregoing interrogatories, as follows:

1. I am now, and for more than twenty years past have been, engaged in the malting and brewing business, in the city of New-York, on my own and partnership account.

3. If this question can apply to myself or the firm to which I belong, I answer, No; and so far as it relates to other persons, I know nothing.

4. To each and every part of this interrogatory, I unequivocally answer, No.

5. I think there can be no inducement for a brewer in this country to use any drugs or compounds mentioned in the foregoing interrogatories, and that the use of them would result in loss to the brewer, by reason of injury to the flavor of the article; a good flavor is far more important to a profitable business in this country than great strength in the ale. I am unacquainted with the mode of brewing in England, having never been there. I deem it not irrelevant to add, that I have never seen a competent brewer who came from that country, and I regard the books which I have seen on the subject of their mode of brewing, as mere *trash*.

6. The materials used in our establishment in the manufacture of ale, (we brew nothing else,) are only malt, hops and water, with occasionally a little fine salt. The strength is derived from the malt. The hop imparts an agreeable bitter to the liquor. It is universally admitted to possess valuable medicinal qualities; but it is principally used for its preservative qualities, for which no adequate substitute has yet been discovered. In answer to the last part of this interrogatory, difference of strength depends upon difference in quantity of materials, or skilfulness in their use. Difference of colour depends, in a great degree, upon difference in the manner of drying the malt; and difference of flavor, is frequently occasioned by difference in the process of fermentation. The taste of aloes, particularly inquired about, is, I presume, that taste frequently occasioned by an imperfect fermentation, by reason of which the yeast is not sufficiently worked off, but remains in the ale, and communicates an unpleasant bitter.

JOHN M. MOUNSEY.

Sworn and subscribed this 25th }
day of April, 1835, before me, }

TIMOTHY B. BURGER, *Commissioner of Deeds.*

Answer of Evan Davis.

City and County of New-York, ss. Evan Davis, brewer, being duly sworn, deposes and answers to the foregoing interrogatories, as follows:

1. I have been in the employ of John M. Mounsey & Co. brewers, for about twelve years, and I am now and for some time past, have been their foreman.

3. I know nothing.

4. As far as this can relate to this deponent, he answers, No; and adds, that he thinks that such drugs or compounds as mentioned in this and the preceding interrogatory, could not be used in the brewery of John M. Mounsey & Co. without his knowledge; and this deponent adds, that he has heard read the answers of John M. Mounsey to this and the other annexed interrogatories, which answers this deponent fully confirms.

his
EVAN ✕ DAVIS.
mark

Sworn before me, this 25th }
day of April, 1835. }

TIMOTHY B. BURGER, *Commissioner of Deeds.*

Answer of John M. Todd.

City and County of New-York, ss. John M. Todd, of the city of New-York, being duly sworn, respectfully answers to the foregoing interrogatories, as follows:

1. I am engaged in the brewing and malting business in the city of New-York, and have been connected in business with Mr. John M. Mounsey since the fall of 1822, (with the exception of a short interval.)

3. I answer, that I know nothing of any such practices, and I do not believe they exist in this country.

4. To each and every part of this interrogatory, I unequivocally answer, No.

5. I know not of any inducement for the use of either of the drugs or compounds mentioned in the annexed interrogatories. It is my individual opinion, that if any unexperienced or visionary brewer should attempt to avail himself of the suggestions, lately promulgated with so much industry, but for a different purpose, by fanatic and hireling reformers, his obligations to them for their information, would be only those due for blasted fame and ruined fortune. I beg leave to add, that I have seen the answers intended to be made to this interrogatory, by Mr. L. Fidler, of the city of Albany, brewer, and I would express my entire concurrence in his views of the subject, if I could add any thing to the high consideration, which the experience of that gentleman and his entire devotion to the subject, will obtain for his opinions.

6. I refer to, and confirm the answers of John M. Mounsey, (accompanying.)

JOHN M. TODD.

Sworn before me, this 25th day }
of April, 1835. }

TIMOTHY B. BURGER, *Commissioner of Deeds.*

Answer of Robert Bilsborrow.

City and County of New-York. ss. Robert Bilsborrow, being duly sworn, respectfully answers the foregoing interrogatories, as follows:

1. I have been engaged in the malting and brewing business in the city of New-York, in company with J. M. Mounsey and J. M. Todd, (firm of John M. Mounsey & Co.,) since October, eighteen hundred and thirty-two.

3. I answer, I am entirely ignorant of the use of drugs in the manufacture of beer or ale, and that none are used by us, either for the purpose of manufacturing or preparing for market.

4. To to this interrogatory, I answer unequivocally, that not a grain of any kind of drug, compound or extract, has ever been used by us, or by any person on our behalf, in the manufacture of beer or ale.

5. I know of no inducement for brewers to use drugs in the manufacture of beer or ale; neither can I say if it would be a matter of profit: of one thing I am certain, it would result in the ruin of any brewer, (in this country,) who should resort to the use of any substitute for that of malt and hops. Of the process of manufacturing beer or ale in England, I am entirely ignorant, and believe there are but few brewers in this country who pretend to understand it.

6. I refer to the answers of John M. Mounsey, which I confirm in every particular.

ROBERT BILSBORROW.

Sworn to before me, this 25th }
day of April, 1835. }

TIMOTHY B. BURGER, Commissioner of Deeds.

Answer of S. Samer.

1. I have been a brewer, on my own account, for the last eight years, in the city of New-York, of ale and table beer.

3. The articles named in this interrogatory, I have never used, nor have known them to be used, nor do I know what would be their effect, if used in the manufacture of ale or table beer.

4. I have never myself, nor have I authorized or commissioned any other, to procure or purchase any of said drugs or compounds, to be used in my establishment.

5. To this question I cannot give a precise answer, being ignorant of the properties of such drugs or compounds, and what their effect might be if used in making ale or table beer.

6. The only ingredients ever used in my establishment, are malt and hops. The shades of ale or beer depend chiefly on the manufacture of the malt. The difference in flavor is owing to various causes, such as, bad malt, illsave hops, and general mismanagement in time of fermentation, &c.

S. SAMER.

Sworn to before me, this 25th }
day of April, 1835. }

By Sebastian Samer, Wm. K. THORN, Not. Pub.

Answer of Henry Bunce.

City and County of New-York, ss. Henry Bunce, of the city of New-York, brewer, being duly sworn, depose and say, in answer to the foregoing interrogatories, as follows:

1. I am now, and have been for more than ten years past, engaged in the malting and brewing business in the city of New-York, on my own account and in partnership, and at present on my own account.

3. I am not acquainted with the properties nor the use of the drugs or articles mentioned.

4. I answer, No.

5. I should say it would be a loss to the brewer. The difference between this country and England, I know nothing about—I never have been there.

6. The materials used in my brewery in the manufacture of ale and porter, are composed of malt, hops and water; in making a brewing of porter, a small proportion of burnt sugar or treacle is used to give colour, (I also use a little fine salt.) say one pint of colouring to thirty gallons of ale, or as the malt is more or less dried on the kiln. The taste of aloe I would say, is when the wort has not been duly fermented, is what is called yeasty, not properly cleansed, which may be owing to the coldness of the weather, or the exposure of the tun rooms.

HENRY BUNCE.

STATE OF NEW-YORK,
City and County of New-York, } *ss.*

Henry Bunce, above named, being duly sworn, saith, that the above statement is true.

P. A. COWDREY, *Not. Pub.*

Answer of Robert Telford.

City and County of New-York, ss. Robert Telford, brewer, of the city of New-York, being duly sworn, deposes and answers to the foregoing interrogatories, as follows:

1. I have been in the employ of Henry Bunce and his former partner in business, Joseph Barnes, and now in the employ of Mr. Bunce, nine years, and at present his foreman.

3. I do not know.

4. As far as my knowledge extends, I can answer. No; and add, that I think that such drugs or compounds, as mentioned in this or the preceding interrogatory, could not be used in the brewery of Henry Bunce, without my knowledge; and this deponent adds, that he has heard read the answers of Henry Bunce, to this and other annexed interrogatories, which answers this deponent fully confirms.

ROBERT TELFORD.

STATE OF NEW-YORK, }
 City and County of New-York, } ss.

Robert Telford, before named,
 being duly sworn, saith, that the above statement is true.

P. A. COWDREY, Not. Pub.

Answer of Thomas Kelly.

City and County of New-York, ss. Thomas Kelly, of the city of New-York, brewer of strong beer, being duly sworn, doth depose and say, in answer to the foregoing interrogatories, as follows:

1. That he is at present engaged in the business of brewing strong beer, at No. 626 Washington-street, in the city of New-York; he has been so engaged for the last eight years; the five first of which in the employ of Edward Brennan, deceased, and has been engaged in the said business for the last three years, on his own account.

3. And this deponent, in answer to this interrogatory, makes oath and says, that he has not, at any time, or in any quantity, either directly or indirectly, infused, mixed, put or used in beer, ale or porter, either when being manufactured or when preparing for market, any coculus indicus, nux vomica, opium, laurel leaves, copperas, sulphuric acid, salt of steel, aloes, capsicum, sulphate of iron, or copperas, or any other deleterious or poisonous drug or compound, or any or either of them, or any extract or essential property thereof; and this deponent further says, that a few weeks since, his beer of a particular brewing, was returned on his hands by his customers, as an inferior article; that this deponent not being able to account for the depreciation in quality of said brewing, made strict inquiry among his workmen, to endeavor, if possible, to ascertain the cause; and on such inquiry he learned one of his workmen had put in said brewing, some alum, without this deponent's knowledge or consent; and this deponent feels fully certain that the bad quality of that brewing was entirely owing to the said surreptitious introduction of the alum; and this deponent says, that, except in said single instance, no alum, either directly or indirectly, has been ever used in deponent's brewery to his knowledge.

4. And this deponent, in answer to this interrogatory, makes oath and says, that he has not, nor has any person in his employment, (except in the single instance of alum, mentioned in this deponent's answer to the 3d interrogatory,) or by his procurement, or with his knowledge, consent or approbation, caused, or procured any such drugs or compounds, or the extract, or essential qualities thereof, to be infused, mixed, put in, or used in ale, porter or beer, that he has not, nor any one in his behalf, at any time, purchased, or owned, or had in his possession, any of said articles.

5. And this deponent, in answer to the 5th interrogatory, makes oath and says, that he does not know the use of any of said drugs

or compounds in the manufacture of ale, beer or porter, and that there is no inducement for him to use any thereof in the said manufacture of ale, beer or porter ; but on the contrary, this deponent believes their use would be highly deleterious, and a matter of great loss to the brewer; that this deponent is unacquainted with the manner of brewing in England.

6. And this deponent, in answer to the 6th interrogatory, makes oath and says, that malt, hops, well water, common table salt, flour and yeast, are all the ingredients or materials of which the beer (deponent does not brew porter or ale,) manufactured at his establishment are composed. That the malt is used to give body and strength to the beer, it is wholesome and nourishing, and of a heavy sweet taste. That the hops are used to temper the flavor of the malt, and preserve the beer good—that it is of bitter taste, and gives a flavor approaching the taste of aloes, when too great a proportion of hops is used. That flour is sometimes used (when the beer is slow in fermenting,) to assist and quicken the fermentation; and this deponent says, that if the malt is carefully dried at the kiln, the colour is tolerably pale, that if it is scorched in drying, the colour is deeper; that hops are sometimes of a deep colour, and the beer is more or less deep in colour, according as these simple causes operate; that the difference in strength arises from the proportion of water used; and further this deponent saith not.

THOMAS KELLY.

Sworn to this 25th day of }
April, 1835, before me, }

ALFRED A. SMITH, *Commissioner of Deeds.*

Answer of William Kinch.

City and County of New-York, ss. William Kinch, brewer, of the city of New-York, being duly sworn, deposes and answers to the foregoing interrogatories, as follows:

1. I have been engaged in the brewing business in the city of New-York since the year 1820, and solely on my own account and without any partner, since the year 1827.

2. I know of no such practices within the last eight years.

4. It has lately come to my recollection, that about ten years ago, upon the suggestion of my family physician, I caused a very small portion of *coccus indicus* to be used in a single brewing; the experiment was by no means satisfactory; the flavor was so unpleasant, that I determined not to use it again.

5. I know nothing thereof.

6. I brew only ale, and use malt, hops and water. The strength is obtained from the malt; and the hop is used for a pleasant bitter, and for its preservative properties. Difference of strength is caused by difference of quantity or quality of materials used, or more or less skill in their use. The taste of aloes is sometimes

occasioned by an imperfect fermentation. I sometimes colour ale with burnt sugar or molasses.

WILLIAM KINCH.

Sworn before me, this 22d }
day of April, 1835. }

C. NAGLE, *Commissioner of Deeds.*

Answer of George Byrne.

City and County of New-York, ss. George Byrne, being duly sworn, deposes and says, that he has been in the employ of Wm. Kinch, of the city of New-York, as brewer, cellarman and foreman, for the last eight years; and this deponent says, that none of the drugs mentioned in the foregoing interrogatories, or any other noxious, or poisonous drugs, or compounds, or extracts, have, during said period, been used in the brewery of Wm. Kinch; and this deponent has read the answers given by William Kinch, to the foregoing interrogatories; and this deponent fully confirms the same, in all points, within his knowledge.

GEORGE BYRNE.

Sworn before me, this 22d }
day of April, 1835. }

C. NAGLE, *Commissioner of Deeds.*

Answer of George Kitching.

1. I have been a malster, on my own account, in the city of New-York, thirteen years, and the last four, a brewer of ale and beer, exclusively.

3. This interrogatory, I have only to say, that the articles named, I am entirely at a loss to know what qualities they contain.

4. I have not, or has any of my men, or any individual in my behalf, ever used any drugs or compounds in my establishment, for the purpose of making ale or beer—this question I answer unequivocally.

5. I consider there is no inducement for any brewer to use drugs, or any kind of compound; it would be more of a loss than a profit.

6. The only articles I have ever used for the purpose of making ale or beer, have been malt and hops, with the exception of a little honey, that I have used in pale ale, which did not exceed one gallon in two hundred of ale; this small proportion, I considered added to the flavor, but I have dispensed with this measure, and feel satisfied that nothing can give the essential quality, equal to the malt and hops. The different shades of ale or beer, depend chiefly on malting the barley and the manner it is dried on the kiln; and if through the process there should be any neglect on the part of the maltster, there will be a variety of flavors, that does originate from inattention; and also through the process of fermentation, if the brewer should happen not to succeed at this advanced

stage of manufacturing, he will, no doubt, destroy all the advantages he may have heretofore obtained, and unquestionably a variety of bad qualities and flavors will arise, when in this particular state.

GEORGE KITCHING.

STATE OF NEW-YORK, }
City and County of New-York, } ss.

George Kitching, before named, being duly sworn, did depose and say, that the above statement was true.

P. A. COWDRY, *Notary Public*.

April 25th, 1835.

Answers of William Phillips.

1. I have been engaged in the business of brewing ale and beer, in the city of New-York, for two years, in the employment of George Kitching.

3. The articles mentioned in this question, I have never used, or have known to be used, in the establishment in which I am foreman, nor am I acquainted with any of their properties.

4. I have never myself, nor have any in the same establishment, to my knowledge, purchased, or procured, any such drug or compound, to be used in the manufacture of ale or beer.

5. In my opinion, brewers can have no inducement to use the aforesaid articles, in making ale or beer, but as I am unacquainted with their properties, I cannot speak decisive as to that point. As to the difference between the manufacture of ale and beer in this country and in England, I can say, from a little experience, I know of none, but what I think owing to the difference of climate.

6. As to the cause of the various shades and flavors of ale and beer, I have only to express my entire approval of the opinion of my employer.

WILLIAM PHILLIPS.

STATE OF NEW-YORK, }
City and County of New-York, } ss.

On the 25th day of April, A. D. 1835, before me came the above named William Phillips, and deposed, that the statement aforesaid was true.

P. A. COWDREY, *Notary Public*.

Answer of Thomas Read,

1. I have been engaged in the business of brewing beer and ale, but not porter, in the city of Troy. for eleven or twelve years; I have been one of the firm of Read & Armstrong, and of the firm of Read. Armstrong & Co., and at present of the firm of Thos. Read & Son.

3. We have never used, procured, or caused to be used, coculus indicus, nux vomica, opium, laurel leaves, copperas, alum, sulphuric acid, salt of steel, aloes, capsicum, sulphate of iron, or copperas, or any other deleterious or poisonous drug or compound, nor any

or either of them, or any extract, or essential property thereof, been, or at any time, or in an any quantity, directly or indirectly, infused, mixed, or put in beer or ale, neither when being manufactured or prepared for market.

4. I never purchased, or caused to be purchased, any of the articles therein mentioned, nor never had any thing of the kind used at our brewery, to my knowledge.

5. There is no inducement for using any drugs; I should think that their use would be a loss, inasmuch I think they would spoil the beer; I know nothing of the process by which beer or ale are manufactured in England.

6. The ingredients used, are malt, hops and salt, and sometimes a little honey: say from 3 to 3½ bushels of malt to the barrel, and from 2½ to 5 pounds of hops to a barrel, and about four quarts of fine salt to 60 or 70 barrels; say in our pale, we put about two or three pints of honey to the barrel, we think makes the pale ale finer, and is rather an improvement; but we use none in brown beer; the malt is the chief material used, and the article which chiefly communicates the different tastes, qualities and colour to the beer and ale; and the different shades are chiefly owing to the manner in which the malt is dried on the kiln, and in some measure to the colour of the hop. When we make pale ale, we always select the palest malt and the palest bales of hops. We use no water, but pure, clean water, formerly from a spring, and at present from the city water-works. If any beer or ale has the taste of aloes, more than others, I think it is owing to improper fermentation, which some may call the taste of aloes, and some a yeasty taste.

THOMAS READ.

Sworn before me, this 11th }
day of May, 1835. }

D. H. STONE, *Commissioner of Deeds.*

STATE OF NEW-YORK.

No. 89.

IN SENATE,

May 11, 1835.

REPORT

Of the Commissioners of the Land-Office, pursuant to the act of the 25th of October, 1828, relative to the re-payment, in certain cases, of moneys paid for taxes.

Pursuant to the directions of the act entitled "An act authorizing the re-payment, in certain cases, of moneys paid for taxes," passed October 25, 1828, the Commissioners of the Land-Office hereby report to the Legislature the names of persons to whom warrants have been ordered under the said act, since their report made on the 28th of April, 1834, and the amount of such warrants respectively, as follows:

Date of Order.			Names of Persons.	Amount of Warrant.
1834.	June	24,	Isaiah Tiffany,	\$2 53
	September	1,	James S. Seymour,	31 02
	"	1,	William Lansing,	83
	"	3,	S. R. Warren,	4 61
	October	7,	Josiah Fisk,	10 51
	"	16,	Squire Hinckley,	3 50
	November	18,	Peter Smith,	15 48
	"	25,	Jahaziel Sherman,	10 67
1835.	January	31,	David E. Evans,	20 03
	February	26,	Abraham Wing,	1 08
	March	7,	Peter Smith,	12 35
	April	16,	George Gulliver,	13 03
	May	1,	Merit H. Cash,	2 39

A. C. FLAGG, *Comptroller.*

WILLIAM CAMPBELL, *Surv-Gen.*

A. KEYSER, *Treasurer.*

JOHN A. DIX, *Secretary of State.*

Albany, May 9, 1835.

[Senate No. 89.]

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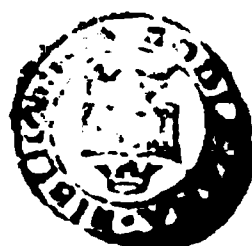
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